



ఆంధ్రప్రదేశ్ రాజపత్రము

THE ANDHRA PRADESH GAZETTE

PUBLISHED BY AUTHORITY

W.No.11

AMARAVATI, TUESDAY, MARCH 19, 2024

G.4136

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

--X--

NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

SENIOR CIVIL JUDGE'S COURT MANGALAGIRI

SEVERAL PETITIONS IN I.P.Nos.1 to 7/2024.

RC.No.473/2024-A5.

Date: 27-02-2024.

S.I.No. (1)	I.P.No. (2)	Dis No.& date (3)
1.	1/2024	104, dt: 02.02.2024
2.	2/2024	141, dt: 14.02.2024
3.	3/2024	142, dt: 14.02.2024
4.	4/2024	143, dt: 14.02.2024
5.	5/2024	144, dt: 14.02.2024
6.	6/2024	145, dt: 14.02.2024
7.	7/2024	146, dt: 14.02.2024

IN THE COURT OF SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. 1 /2024

Between:

Damarla Murahari Siva Sankara Rao. ...Petitioner.

and

01. Pasupuleti Padma Kumari
02. Gaddam Ranga Rao
03. Shaik Hayiva
04. Shaik Begum
05. Gummala Suseela
06. Shaik Nayima
07. Meka Padmavathi
08. Shaik Ramthulla
09. Damrla Samrjyam
10. Shaik Kaza
11. Sirisha *Final*

...Respondents

INSOLVENCY PETITION FILED ON BEHALF OF THE PETITIONER UNDER
SECS.10 & 74 OF THE PROVINCIAL INSOLVENCY ACT

I. DESCRIPTION OF THE PETITIONER:- The petitioner is Damarla Murahari Siva Sankara Rao S/o. late Naga Muni, aged about 57 years, Hindu, presently Nil occupation, residing at Door No.4-413/A, Damarlavari Thota, Nowlur, Mangalgiri Mandal, Guntur Dist., Mangalgiri DMC. His address for service is the same as stated above.

II. DESCRIPTION OF THE RESPONDENTS:-

The 1st respondent is Smt. Pasupuleti Padma Kumari W/o. Veeranjaneyulu, Hindu, aged about 38 years, Near Saibaba Temple, Atmakuru village, Mangalgiri Mandal, Guntur Dist., DMC Guntur, Cell No.7093349199

The 2nd respondent is Gaddam Ranga Rao S/o. Pedda Veera Swamy, aged about 68 years, Hindu, business, R/o. Yerrabalem village, Mangalgiri Mandal, Guntur Dist., DMC Mangalgiri. Cell No.9491137091.

The 3rd respondent is Shaik Hayiva S/o. Vali, aged about 28 years, Muslim, business, R/o. Near Deda Kottu, Putta Raod, Nowlur, Mangalgiri Mandal, Guntur Dist., DMC Mangalgiri. Cell No.9885166149.

The 4th respondent is Shaik Begum W/o. Saleem, aged about 50 years, Muslim, business, R/o. Near Deda Kottu, Putta Raod, Nowlur, Mangalgiri Mandal, Guntur Dist., DMC Mangalgiri. Cell No.6301644582.

The 5th respondent is Smt. Gummala Suseela W/o. Nageswara Rao, aged about 60 years, Hindu, business, R/o. Saibaba Temple Road, Nowlur, Mangalgiri Mandal, Guntur Dist., DMC Mangalgiri. Cell No.8019864501.



ADVOCATE FOR PETITIONER



PETITIONER

~~6, years, Muslim, business, R/o. Door No.4-428, Putta Raod, Nowlur, Mangalagiri Mandal, Guntur Dist., DMC Mangalagiri. Cell No.9502054463.~~

The 7th respondent is Smt. Meka Padmavathi W/o. Sudhakar, aged about 50 years, Hindu, business, R/o. Door No.4-13/2, Damarla Vari Thota, Nowlur, Mangalagiri Mandal, Gurituru Dist., DMC Mangalagiri. Cell No.7569038534.

The 8th respondent is Shaik Rahamthulla S/o. Mabu Subhani, aged about 38 years, Muslim, business, R/o. Door No.4-424, Putta Raod, Nowlur, Mangalagiri Mandal, Guntur Dist., DMC Mangalagiri. Cell No.9908774479.

The 9th respondent is Smt. Damarla Samrajyam W/o. Prakasa Rao, aged about 58 years, Hindu, business, R/o. Door No.4-415, Damarlavari Thota, Nowlur, Mangalagiri Mandal, Guntur Dist., DMC Mangalagiri. Cell No.9941669889.

The 10th respondent is Shaik Kaza S/o. Bazi, aged about 28 years, Muslim, business, R/o. Near Dada Kottu, Putta Raod, Nowlur, Mangalagiri Mandal, Guntur Dist., DMC Mangalagiri. Cell No.9533658795.

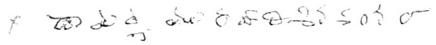
¹¹ The 11th respondent is ^{Ans} Sirisha W/o. Subba Rao, aged about 34 years, Hindu, business, R/o. behind Venkata Triveni Briks, Saibaba Temple Road, Nowlur, Mangalagiri Mandal, Gurituru Dist., DMC Mangalagiri. Cell No.7993395220.

Their addresses for service are the same as stated above.

III. BRIEF FACTS OF THE CASE:

(a). The petitioner is resident of Nowluru village, Mangalagiri Mandal in given address. He involved in real estate business in and around Mangalagiri and Tadepalli Mandals since 2015. On announcement of capital city in this locality, the real estate Boom was taken place in and around the Mangalagiri and Tadepalli Mandal and the real estate business well flourished. On seeing the petitioner's involvement in real estate business, the creditors of the petitioner including respondents given large amounts to him by taking blank signed promissory notes and cheques towards security. In those moments, the petitioner purchased lands in large scale by taking loans from known persons including the respondents with a prediction that the values of the lands will rise multi fold. The prediction of the petitioner was turn into reality and the values were raised. Some of those lands were sold by the petitioner and discharged some loans of his creditors. There after also the petitioner continued in real estate business. He used to borrow amounts from his creditors like respondents at huge rates of interest at 60% to 120% p.a. for purchase of the lands by handing over the blank signed pronotes and cheques as per the demands of creditors of the petitioner. At the time of real estate boom, the payment of said loans not created any problem to the petitioner.


ADVOCATE FOR PETITIONER


PETITIONER

b) Unfortunately, the real estate boom was fall down due to political reasons in and around Mangalagiri and Tadepalli. As such the petitioner has sustained huge loss in his business. In those circumstances, to discharge his debts he has to sell the lands at lower price comparing to his purchase price. At present no said properties are left with the petitioner but the debts incurred for his real estate business raised multi fold. He is unable to discharge the debts to his creditors. His age is also not co-operating with him. The health of the petitioner is also setback. In these circumstances, the petitioner became bankrupt and could not discharge the debts due to the respondents. The liabilities of the petitioner exceeded the value of the assets of the petitioner. The petitioner submits that all the creditors are adopting forcible and violent measures against the petitioner for recovery of the amounts due to them. For some days the petitioner adjusted and could answer them by showing B-1 schedule ancestral properties in which he has got undivided 1/3rd share but slowly the respondents one by one are turning violent and threatening the petitioner with dire consequences for realization and recovery of their debt due from the petitioner.

c) It is submitted that the petitioner is having the immovable and movable properties shown in B-1 and B-5 schedule and except the said properties, the petitioner does not own or possession any other properties. It is further submitted that the petitioner has no means to discharge the debts except the properties mentioned in the B-1 and B-5 schedule annexed hereto. Moreover, the petitioner has to maintain his family. The debts of the petitioner exceeded the properties shown in the schedules and he is unable to discharge the debts. Now the petitioner's financial position has become worse and he fears threat to his life and to the lives of his family members in the hands of the respondents. The respondents and other persons having taken the goodness of the petitioner collected huge amounts towards interest. In the above circumstances, the petitioner is constrained to file this petition under Sec.10 and 74 of the Provincial Insolvency Act. The petitioner is prepared to submit all his properties shown in the petition B-schedule and all the debts borrowed from the respondents are shown in the petition A-schedule. Under the above said circumstances the petitioner is constrained to file this petition.

IV. CAUSE OF ACTION:- Cause of action for the petition arose at Nowlur village, Mangalagiri Mandal, Guntur Dist where the petitioner is residing and when given signed unfilled cheques and singed blank pronotes to the respondents towards security and where at the petitioner suffered loss in his real estate business and bankrupted and at Nowluru village, Mangalagiri Mandal whereat the B-1 to B-5 schedule properties are located – all within the jurisdiction of the Hon' Court.



ADVOCATE FOR PETITIONER



PETITIONER

V. This being a petition under the provisions of the Provincial Insolvency Act, a fixed court fee of Rs. 10/- is payable under Art.11 of Schedule II of A.P. Court fees & S.V. Act and is paid herewith under Sec.10 of the Insolvency Act.

VI. Therefore, the petitioner prays that the Hon' Court may be pleased to pass an order in his favour against the respondents;

- (a) to issue notice on the petition to the respondents;
- (b) to adjudicate and declare the petitioner as an insolvent person;
- (c) to discharge the petitioner from the debt shown in A-schedule;
- (d) to appoint Official Receiver as the interim receiver to take possession of the B schedule properties and administer the same as per the Insolvency Act;
- (d) to award costs of the proceedings; and
- (e) to pass such other and further orders those are deemed just and necessary in the circumstances of the case.

ADVOCATE FOR PETITIONER

Dt. 13.12.23

PETITIONER

I do hereby declare that the facts
of my knowledge, belief and information.

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PETITIONER

List of Documents:

01. Aadhar card of petitioner (xerox)
02. Registration Extract of Regd. Partition Deed dt.07.07.2014 bearing Doc. No.6707/2014 of SRO, Mangalagiri.
03. Market Value Certificate dt 30.11.2023

MANGALAGIRI
DT. 13/2/23

ADVOCATE FOR PETITIONER

S. Ashton Co., Inc.

IN THE COURT OF SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. 1 /202B

Between:

Damarla Murahari Siva Sankara Rao.Petitioner.

and

Pasupuleti Padma Kumari and others ... Respondents

PETITION "A" SCHEDULE FILED ON BEHALF OF THE PETITIONER
(LIST OF CREDITORS)

S.No.	Name of the Creditors	Nature of document	Amount Rs. Ps.
01.	Pasupuleti Padma Kurriari	1 Unfilled signed Cheque 1 empty signed pronote	- 15,50,000/-
02.	Gaddam Ranga Rao	1 Unfilled signed Cheque 1 empty signed pronote	- 7,50,000/-
03.	Shaik Hayiva	empty signed pronote	- 9,50,000/-
04.	Shaik Begum	empty signed pronote	- 7,00,000/-
05.	Gummalla Suseela	empty signed pronote	- 5,00,000/-
06.	Shaik Nayima	empty signed pronote	- 5,00,000/-
07.	Meka Padmavathi	empty signed pronote	- 7,00,000/-
08.	Shaik Rahmthulla	empty signed pronote	- 6,00,000/-
09.	Damarla Samrajayam	empty signed pronote	- 3,00,000/-
10.	Shaik Kaza	empty signed pronote	- 2,50,000/-
11.	Sirisha W/o. Subba Rao	empty signed pronote	- 2,00,000/-
Total amount.			Rs.70,00,000-00

ADVOCATE FOR PETITIONER
Dt. 13/10/2013

PETITIONER

I do hereby declare that the facts of my knowledge, belief and information.

కొన్ని మార్కెట్ల వ్యవస్థలకు

MANGALAGIRI
Dt

PETITIONER

IN THE COURT OF SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. 1/2024

Between:

Damarla Murahari Siva Sankara Rao. ...Petitioner.

and

Pasupuleti Padma Kumari and others ... Respondents

PETITION "B" SCHEUDLE FILED ON BEHALF OF THE PETITIONER

B-1 Schedule : Immovable Properties (petitioner's share value) :Rs.6,98,833/-

B-2 Schedule : Bank Securities. : Nil.

B-3 Schedule. : Out standings. : Nil.

B-4 Schedule. : Cash on hand. : Nil.

B-5 Schedule. : Movable properties. : Rs. 2,000-00.

Rs. 7,00,833-/-

ADVOCATE FOR PETITIONER

Dt. 13/3/23

ప్రార్థకు సెంచర్ అండ్రా ప్రాదేశ్ గెజెట్

PETITIONER

I do hereby declare that the facts stated above are true and correct to the best of my knowledge, belief and information.

MANGALAGIRI

Dt. 13/3/23

ప్రార్థకు సెంచర్ అండ్రా ప్రాదేశ్ గెజెట్

PETITIONER

IN THE COURT OF SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. 1 /2023

Between:

Damarla Murahari Siva Sankara Rao. ...Petitioner.

and

Pasupuleti Padma Kumari and others ...Respondents

PETITION "B-1" SCHEUDLE FILED ON BEHALF OF THE PETITIONER

Item No.1:- Guntur Dist , Mangalagiri Sub-Registry Area, Mangalagiri Mandal, Nowlur village, D.No.122, out an extent of Ac.5.52 cents, an extent of 220 sq yards of vacant house site situated behind the house with Door No.4-405 bounded by East: Property devolved upon Damaral Madhusudhana Rao, 36 ft., South: Property of Damarla Punnaiah, 57 ft. West: Panchayat Road, 33 ft. North : 5 feet joint private nadava 57 ft
Present Market Value: Rs.11,00,000/-

Item No.2:- Guntur Dist , Mangalagiri Sub-Registry Area, Mangalagiri Mandal, Nowlur village, D.No.122, out an extent of Ac.5.52 cents, an extent of 146.3 sq. yards of vacant house site situated near to the house with Door No.4-405 bounded by East: Property Tatikonda Rajarao, 31 ft., South: Property of A. Sundara Rao, 44 ft. West : 18 ft wide Bazaar, 31 ft. North : Property devolved upon Damaral Madhusudhana Rao , 43 ft

Present Market Value: Rs.7,31,500/-

Item No.3:- Guntur Dist. Mangalagiri Sub-Registry Area, Mangalagiri Mandal, Nowlur village, D.No.122, out an extent of Ac.5.52 cents, an extent of 53 sq. yards of vacant house site situated near to the house with Door No.4-405 bounded by East: Property Tatikonda Rajarao, 13.4 ft., South: Property of Damarla Sambasiva Rao, 36 ft. West: 18 ft wide Bazaar, 13 ft. North : Property devolved upon Damaral Madhusudhana Rao 35 ft.

Present Market Value: Rs.2,65,000/-

1/3rd share value of the petitioner of Item No.1 to 3 is: Rs.6,98,833/-

ADVOCATE FOR PETITIONER

Dt. 13/2/23

PETITIONER

I do hereby declare that the facts stated above are true and correct to the best of my knowledge, belief and information.

MANGALAGIRI

Dt. 13/2/23

PETITIONER

IN THE COURT OF SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. /2023

Between:

Damarla Murahari Siva Sankara Rao. ...Petitioner.

and

Pasupuleti Padma Kumari and others ...Respondents

PETITION "B-2" SCHEDULE FILED ON BEHALF OF THE PETITIONER

Bank Securities. Nil.



ADVOCATE FOR PETITIONER

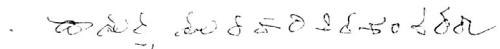
Dt. 13/3/23

PETITIONER

I do hereby declare that the facts stated above are true and correct to the best of my knowledge, belief and information.

MANGALAGIRI

Dt. 13/3/23



PETITIONER

IN THE COURT OF SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. 1/2023

Between:

Damarla Murahari Siva Sankara Rao. ...Petitioner.

and

Pasupuleti Padma Kumari and others ...Respondents

PETITION "B-3" SCHEUDLE FILED ON BEHALF OF THE PETITIONER

Out standings Nil.

ADVOCATE FOR PETITIONER

Dt. 13/2/23

PETITIONER

I do hereby declare that the facts stated above are true and correct to the best of my knowledge, belief and information.

MANGALAGIRI

Dt. 13/2/23

PETITIONER

IN THE COURT OF SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. 1/2024

Between:

Damarla Murahari Siva Sankara Rao. Petitioner.

and

Pasupuleti Padma Kumari and others Respondents

PETITION "B-4" SCHEDULE FILED ON BEHALF OF THE PETITIONER

Cash on hand. Nil.


ADVOCATE FOR PETITIONER

Dt. 13/2/23

PETITIONER

I do hereby declare that the facts stated above are true and correct to the best of my knowledge, belief and information.

MANGALAGIRI

Dt. 13/2/23

PETITIONER

IN THE COURT OF SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. 1 /2024

Between:

Damarla Murahari Siva Sankara Rao. ...Petitioner.

and

Pasupuleti Padma Kumari and others ...Respondents

PETITION "B-5" SCHEDULE FILED ON BEHALF OF THE PETITIONER

(1) Shirts	- 4	:Rs.800-00.
(2) Pants.	- 4	:Rs.800-00.
(3) Towels	- 2	:Rs.100-00.
(4) Lungis.	- 2	:Rs.100-00.
(5) Glasses.	- 2	:Rs. 20-00.
(6) Plates	- 2	:Rs. 40-00.
(7) Bed sheets	- 2	:Rs.140-00

Total :Rs.2,000-00.

ADVOCATE FOR PETITIONER

Dt. 13/2/23

PETITIONER

I do hereby declare that the facts stated above are true and correct to the best of my knowledge, belief and information.

MANGALAGIRI

Dt. 13/2/23

PETITIONER

IN THE COURT OF SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. 1 /2023

Between:

Damarla Murahari Siva Sankara Rao. ...Petitioner.

and

Pasupuleti Padma Kumari and others ...Respondents

PETITION "C" SCHEDULE FILED ON BEHALF OF THE PETITIONER

A- Schedule Liabilities. :Rs.70,00,000-00.

B-Schedule assets.

B-5 Schedule :Rs.2000-00. :Rs. 2,000-00.

Net liabilities. :Rs.69,98,000-00.

ADVOCATE FOR PETITIONER

Dt. 13/2/23

PETITIONER

I do hereby declare that the facts stated above are true and correct to the best of my knowledge, belief and information.

MANGALAGIRI

Dt. 13/2/23

PETITIONER

True copy
M.M.SUPERINTENDENT
SENIOR CIVIL JUDGE COURT
MANGALAGIRI

P.M.R. & D.K.K

FOR PETITIONER

IN THE COURT OF THE SENIOR CIVIL
JUDGE :: MANGALAGIRI

I.P.No. | / 2023



PETITION FILED ON BEHALF OF
PETITIONER UNDER SEC.10 & 74 OF
PROVINCIAL INSOLVENCY ACT

FILED BY:

P. MASTHAN RAO
D. KISHROE KUMAR
ADVOCATES.
MANGALAGIRI- 522503.
Cell No 9848229730
pmrpepl@gmai.com

Y. NAGARAJA,
Senior Civil Judge,
Mangalagiri.
[Dis.No.104.

IN THE COURT OF THE SENIOR CIVIL JUDGE, MANGALAGIRI

CR's.I.P.NO: 9 /2021

Between:

Palakayala Bala Kotaiah...Petitioner

and

01. Ballani Sumanth

02. Samala SeshuRespondents

**PETITION FILED ON BEHALF OF THE PETITIONER UNDER SECTION 4, 5, AND 9
OF THE PROVINCIAL INSOLVENCY ACT****01. Description of the Petitioner:**

The Petitioner is Sri. Palakayala Bala Kotaiah S/o Rattaiah, aged about 49 years, resident of Inavolu Village, Thulluru Mandalam, Guntur District, within the jurisdiction of this Hon'ble Court.

Address for service is the same as stated above and that of his Counsel, Sri.Koka Venkata Prasad, Advocate, Mangalagiri and Guntur District.

02. Description of the Respondents:

The first Respondent is, Sri.Ballani Sumanth S/o Venkata Subba Rao, aged 35 years, Business, Door No.3-324, Mangalagiri town, Mangalagiri Mandalam, Guntur District., within the jurisdiction of this Hon'ble Court.

The second Respondent is, Sri. Samala Seshu S/o Venkateswarlu, aged 33 years, Hindu, Kummara Veedhi, Narasannapeta, Narasannapeta Mandalam, Srikakulam District., within the jurisdiction of JCJ, Srikakulam Court.

Address for service is the same as above.

03. Brief facts of the case:

a) The Petitioner submits that for the purpose of meeting his Family and Business expenses on Dt.20-04-2019(twentieth April two thousand nineteen) the first Respondent borrowed an amount of Rs.15, 00,000/- (Rupees fifteen Lakhs only) from the Petitioner and in evidence thereof the first Respondent has executed a promissory note on the same day in favour of the Petitioner agreeing to repay the said amount with interest at 24% per annum either to the Petitioner or his order on demand.

b) As the 1st Respondent failed to repay the debt as demanded the Petitioner filed CFR No.2159/2021 Dt. 31-12-2021 in O.S.No. 1 /2022 on the file of the Senior Civil Judge Court, Mangalagiri, against the 1st Respondent for recovery of the debt due to him under the above said suit promissory note. The said suit is pending trial before the Hon'ble Senior Civil Judge Court, Mangalagiri.

(Cont...02.)

c) The Petitioner submits that except the Petition schedule property 1st Respondent has no other property. The 2nd Respondent is the close associate of the 1st Respondent. While so, the Petitioner came to know that the 1st respondent with a view to defeat and defraud the creditors like Petitioner, the 1st respondent hatched out a plan with the 2nd respondent and thereby created a collusive, sham and nominal "Sale Deed" bearing Document No.1272/2021 dated 10-02-2021 of SRO, Mangalagiri in favour of the 2nd respondent in respect of the Petition Schedule property without any consideration and the same had been fraudulently brought into existence.

d) The petitioner submits that the alienations of the Petition schedule property by the 1st respondent in favour of the 2nd respondent is purely to evade the debt of the Petitioner and thus the 1st respondent committed acts of insolvency by executing the bogus, sham, nominal "Sale Deed" dated 16-02-2021 in favour of the 2nd respondent respectively. The 1st respondent has no other property except the Petition schedule property. If the 1st respondent is succeeded in the above said acts the Petitioner will be left with no property and that he cannot realize the fruits of decree that may be passed in the suit against the 1st respondent.

e) Hence the Petitioner is constrained to file the petition to adjudicate the 1st respondent as an Insolvent and to set aside the alienation made by the 1st Respondent in favour of the 2nd respondent under Sale deed bearing Doc.No. 1272/2021 dated 16-02-2021 in respect of the Petition schedule property as prayed for. The petitioner also learns that the 1st respondent is heavily indebted and the alienation of the Petition schedule property by the 1st respondent in favour of the 2nd respondent is only to defraud his creditors. Hence the Petition.

07. Cause of action:

The cause of action for the petition arose on 20-04-2019 (Twentieth April Two thousand nineteen) when the first Respondent borrowed an amount of Rs.15, 00,000/- (Rupees fifteen Lakhs only) from the Petitioner and executed a promissory note on the same day in favour of the Petitioner agreeing to repay the said amount with interest at 24% per annum either to the Petitioner or his order on demand and when the Petitioner filed CFR No. 2159/2021 dated 31-12-2021 in O.S.No. 1 /2022 on the file of the Senior Civil Judge Court, Mangalagiri, against the 1st Respondent for recovery of the debt due to him under the above said suit promissory note and on 16-02-2021 when the 1st respondent created a collusive, sham and nominal "Sale Deed" deed bearing

2159/2021

Document No.1272/2021 dated 16-02-2021 of SRO, Mangalagiri in favour of the 2nd respondent in respect of the Petition Schedule property without any consideration at Mangalagiri where the Petition schedule property is located and above alienations were made and partiers to the Petition reside are all within the jurisdiction of this Hon'ble Court.

08. Particulars of valuation:

This being an application filed under Section 9(1) of the Provincial Insolvency Act, a fixed Court fee of Rs. 10/- is paid herewith.

09. The Petitioner therefore prays that this Hon'ble Court may be pleased to:

- a) to declare/adjudicate the 1st Respondent as an Insolvent and appoint the official receiver to take possession of the schedule property and administer the same as per law.
- b) to set-aside the Sale Deed bearing Document No.1272/2021 dated 16-02-2021 of SRO, Mangalagiri standing in the name of the 2nd respondent in respect of the Petition Schedule property ;
- c) for costs of the Petition; and
- d) for such other reliefs that is just and necessary in the circumstances of the case.

Advocate for the Petitioner

Petitioner

I do hereby declare that the facts stated above are true and correct to the best of my knowledge, belief and information *2-2-1973-20-12816*

Mangalagiri

Dt.03 -01--2022.

Petitioner

LIST OF DOCUMENTS FILED ON BEHALF OF THE PETITIONER:

01. Dt.16-02-2021: Certified Copy of the Sale deed bearing Document No.1272/2021 of SRO, Mangalagiri standing in the name of the 2nd Respondent. (Certified Copy Mee Seva)

**Mangalagiri,
Dt. 03-01-2022.**

Advocate for Petitioner

KVP

OFR 5
 3.1.22
 Rep 7/5/22
 Refno 286-2
 Reg- 85-2
 Reg. 26.12.22

IN THE COURT OF THE SENIOR CIVIL JUDGE::
MANGALAGIRI

Rep 7/5/22

CR's.I.P.NO: 2 /2022



PETITION FILED ON BEHALF OF THE
PETITIONER UNDER SECTION 4, 5, AND 9 OF
THE PROVINCIAL INSOLVENCY ACT

Comptee General
S.R.No.27/2024

Filed by:
Koka Venkata Prasad
Advocate,
Mangalagiri-522 503.
Cell No. 98482 95585
Prasad.kvpa.99@gmail.com

Y. NAGARAJA,
Senior Civil Judge,
Mangalagiri.
[Dis.No.141.]

IN THE COURT OF THE SENIOR CIVIL JUDGE: MANGALAGIRI

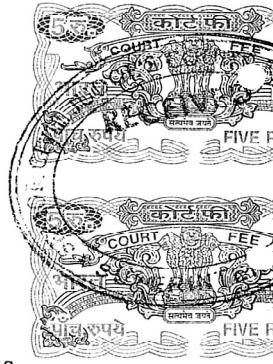
C.I.P.No. 3 / 2023

Between:

Thummuru Vinod Reddy ... Petitioner

And

01. Bhimavarapu Rajasekhar Reddy
02. Bhimavarapu Srihari Reddy
03. Bhimavarapu Madhavi
04. The Official Receiver, Guntur District ... Respondents

CREDITORS INSOLVENCY PETITION FILED ON BEHALF OF THE PETITIONERUNDER SECTION 9 & 54 OF PROVINCIAL INSOLVENCY ACT

I. Description of the petitioner:-

The Petitioner is Thummuru Vinod Reddy, S/o Late Linga Reddy, aged about 40 years, Hindu, Private Employee, R/o Sankhamuru Village, Thullur Mandal, Guntur District Presently Residing at D.No:2-104/5, Sai Nagar Colony, Back Side ICICI Bank, Chaitanyapuri, Hyderabad, Ranga Reddy District.

His address for service is the same noted above and his Advocates are

**Aregakuti Ram Mohan Reddy & Gade Sruthi
Kasinedi Baji Gangadhara Rao
Advocates, Mangalagiri.**

II. Description of the respondents:-

The **1st respondent** is Bhimavarapu Rajasekhar Reddy, S/o Late Satyanarayan Reddy, aged about 60 years, Hindu, Cultivation, and R/o Door No: 3-71, Ravela Village, Tadikonda Mandal, Guntur District and Mangalagiri JCJC.

The **2nd respondent** is Bhimavarapu Srihari Reddy, S/o Late Veera Reddy, aged about 40 years, Hindu, Cultivation, and R/o Door No: 4-2, Ravela Village, Tadikonda Mandal, Guntur District and Mangalagiri JCJC.

The **3rd respondent** is Bhimavarapu Madhavi, W/o Rajasekhar Reddy, aged about 54 years, Hindu, House-Wife, and R/o Door No: 3-71, Ravela Village, Tadikonda Mandal, Guntur District and Mangalagiri JCJC.

The **4th respondent** is the Official Receiver, Guntur District, Guntur District Court Compound, and Guntur.

T. Vinod Reddy.

III. Brief facts of the case:

(1) The 1st respondent is the husband of the 3rd respondent. The 2nd respondent is the who is his own blood relative and hench men of the 1st respondent. The 1st respondent is the absolute owner of the petition schedule properties with all sorts of rights, claims, absolute title, peaceful possession and enjoyment. The 1st respondent has approached the petitioner and requested him to lend money to him for the purpose of meeting his agricultural and family expenses and he will pay the amount within short time. The petitioner has reposed a great and deep confidence and trust in the 1st respondent and agreed to lend money to him.

(2) The petitioner further submit's that on 30-12-2019 he lent money Rs.4,00,000/- (Four Lakhs Only) to the 1st respondent and obtained two promissory notes on the even date each for Rs.2,00,000/- (Rupees Two lakhs Only) in favour of the petitioner. But, as promised upon, the 1st respondent did not repay the amount due to the petitioner under the promissory notes executed in favour of the petitioner.

(3) So the petitioner has filed a suit against the 1st respondent and obtained decree, dated 10-07-2023 made in O.S.No.4/2023 on the file of the Prl. Junior Civil Judge, Mangalagiri. As per the Decree and Judgment of the Honourable Court, dated 10-07-2023 the 1st respondent has to pay a sum of Rs.6,87,466/- with interest at the rate of 12% per annum from the date of filling of the suit till the date of decree on the principal amount of Rs.4,00,000/- towards costs of the suit to the petitioner. But, so far, inspite of the repeated demands of the petitioner both oral and other wise, the 1st respondent did not choose to pay the above decretal amount and costs to the petitioner on one pretext or the other. So, the petitioner has initiate execution proceedings.

(4) The petitioner has initiate execution proccedings he came to know that the 2nd and 3rd respondents and others are the close associates, friends and philosophers of the 1st respondent and all of them have colluded and conspired together and engineered a plan and in pursuance of their evil designs, the 1st respondent have executed a sham, nominal, collusive, mischievous, fictitious, speculative, null and void and untenable documents styled as sale deed no.4444/2023 dated 30-08-2023 (Item no:1 of the petition schedule property) in favour of the 2nd respondent and gift deed no.9900/2023 dated 07-09-2023 (Item no:2 of the petition schedule property) in favour of

T. Vinod Reddy.

the 3rd respondent in respect of the petition schedule properties, for no consideration or a little consideration so as to screen away the properties and create obstacles to the petitioner to execute the decree and thereby the 1st respondent has committed an act of insolvency so as to defraud the real creditors of the 1st respondent and thereby he made themselves liable to be prosecuted in a court of law for cancellation of the above said documents.

(5) Under the above said circumstances on 01-09-2023 the petitioner got issued a registered notice to 1st, 2nd respondents and to sub registrar offices informing the above said facts and demanding the 1st respondent to discharge the debt due to the petitioner under the above said decree together with interest and costs within seven days from the date of receipt of the said notice; to stop their hectic efforts to enter or entertain into any transaction or document in respect of whole or part of the petition schedule properties either in favour of the 2nd respondent or anybody immediately, and further calling them that if already they enter into such documents, get them cancelled forthwith. But, no purpose has been served inspite of issuing the above said notice.

(6) Thus, the above said sale deed and gift deed are null and void and carries no weight in the eyes of law and liable to be set aside declaring the 1st respondent as insolvent and keep the schedule properties intact. In fact, the said sale deed and gift deed are not acted upon and the possessions of the petition schedule properties are with the 1st respondent only. The 2nd respondent is not bonafide purchaser of the item no: 1 petition schedule property for valid and proper consideration. The 3rd respondent is not bonafide donee of the item no: 2 petition schedule property.

(7) To meet his goal, the respondents have brought into existence the above said null and void sale deed and gift deed to overcome the execution proceedings launched and which may be launched by the petitioner, for no consideration or a little consideration with a view to screen away the petition schedule properties and create obstacles to the petitioner and thereby the respondents have committed an act of insolvency so as to defraud the real creditors of the 1st respondent like the petitioner. Thus, the 1st respondent has committed an act of insolvency and thereby he made himself liable to be declared as insolvent and the said documents are liable to be set aside as the 1st respondent is the undercharged debtor of the petitioner.

T. Vinod Reddy.

(8) The 1st respondent has undervalued the petition schedule properties so as to defraud the real creditors of the 1st respondent like the petitioner and to evade the stamp duty and registration charges and as such the above said document styled as sale deed and gift deed are not genuine and moreover brought into existence with ulterior motives and the said documents are invalid, inoperative and carries no weight in the eyes of law and is liable to be set aside. If not, the petitioner will be subjected to great loss. Under the above said circumstances it is just and necessary to declare the 1st respondent as insolvent and cancel the above said documents.

(9) On enquiry, the petitioner also came to know that now 1st to 3rd respondents having colluded and conspired together engineering a plan to enter into further some sham, nominal, collusive, mischievous, fictitious, speculative, null and void documents and transactions in respect of the petition schedule properties either to alienate the same or create charge or lien over the petition schedule properties or induct strangers into the petition schedule properties, in favour of their men of choice so as to further multiply the litigation. So in these circumstances the 1st to 3rd respondents shall not be allowed to enter into any further documents for any purpose in respect of the petition schedule properties either in whole or in part. The better counsels and best mediations of the petitioner proved futile.

(10) It is submitted that all the above said 2nd respondent has no capacity even to purchase property mentioned under the above said document and that the 1st respondent intentionally executed above said documents in order to avoid the debt of the petitioner knowing full well that the alleged documents does not create any right or title to 2nd and 3rd respondents and the said documents have to be declared as null and void and all the documents all within the period of 3 months. Hence the petitioner constrained to file this petition to declare the 1st respondent as insolvent and to declare the documents which were alleged to be executed by the 1st respondent in favour of 2nd and 3rd respondents as void documents.

IV. Hence, this petition.

V. Particulates of the debt due to the petitioner:

As per the decree and judgment of the Honourable Prl. Junior Civil Judge: Mangalagiri, dated 10-07-2023 the 1st respondent has to pay a sum of

T. Vined Reddy

Rs.6,87,466/- with interest at the rate of 12% per annum from the date of filling of the suit till the date of decree on the principal amount of Rs.4,00,000/- towards costs of the suit to the petitioner.

VI. Cause of action:

Cause of action for the petition arose on 30-12-2019 when the petitioner has obtained decree against the first respondent in O.S.No.4/2023 on the file of the Prl. Junior Civil Judge, Mangalagiri; when the 1st respondent has failed to discharge the decree debt due to the petitioner in spite of the repeated demands of the petitioner both oral and otherwise; when the 1st respondent committed the acts of insolvency by executing a collusive registered sale deed and gift deed in favour of the 2nd 3rd respondent in respect of the petition schedule properties; since a few days the 1st to 3rd respondents are also trying to execute some other registered documents collusively in favour of their men of choice; when the better counsels and best mediations of the petitioner to settle the dispute proved futile where the petition schedule properties are situated and where the respondents are residing all are within the jurisdiction of this Honourable court.

VII. This being a petition under the provisions of the Provincial Insolvency Act., a fixed court fee of Rs. 10/- is payable under Art.11 of Schedule II of Andhra Pradesh Court fees & S.V. Act 1956 and is paid here with under Sec.10 of the Insolvency Act.

VIII. Therefore, the petitioner prays that the Honourable court may be pleased to pass an order in his favour against the respondents.

(a) To declare the 1st respondent as insolvent as he committed acts of Insolvency;

(b) To declare the registered sale deed bearing No.4444/2023, dated 30-08-2023 and gift deed bearing No.9900/2023, dated: 07-09-2023 executed by the 1st respondent in favour of the 2nd and 3rd respondents in respect of the petition schedule properties as sham, nominal, collusive and invalid by setting aside the same;

T. Vinod Reddy.

✓ (c) To appoint official receiver as the interim receiver to take possession of the petition schedule properties and administer the same as per the Insolvency Act.

✓ (d) For costs of the petition; and

✓ (e) For such other and further appropriate orders, which are, deemed fit and proper under the circumstances of the case.

G. Sowthi
Advocate for the Petitioner

T. Vinod Reddy
PETITIONER

I do hereby declare and state that the facts stated above are true and correct to the best of my knowledge, belief and information.

PLACE: MANGALAGIRI
DATE: 25-09-2023

T. Vinod Reddy
PETITIONER

LIST OF DOCUMENTS FILED ON BEHALF OF THE PETITIONER
UNDER ORDER VII, RULE 14 (1) OF C.P.C. 1908

(1) 10-07-2023 : Certified copy of decree and judgment made in O.S.No.4/2023
Prl. Junior Civil Judge: Mangalagiri passed against the 1st respondent in favour of the petitioner.

(2) 01-09-2023 : office copy of the registered legal notice.

(3) 01-09-2023 : Postal receipts (5).

(4) 05-09-2023 : Postal acknowledgment of the 1st respondent.

(5) 04-09-2023 : Postal acknowledgment of the 2nd respondent.

(6) 02-09-2023 : Postal acknowledgment of the Nallapadu sub registrar.

(7) 02-09-2023 : Postal acknowledgment of the Tadikonda sub registrar.

(8) 05-09-2023 : Postal acknowledgment of the District registrar Guntur.

(9) 30-08-2023 : Certified copy of the registered sale deed executed by the 1st respondent in favour of the 2nd respondent in respect of the petition schedule property bearing No.4444/2023.

(10) 07-09-2023 : Certified copy of the registered gift deed executed by the 1st respondent in favour of the 3rd respondent in respect of the petition schedule property bearing No.9900/2023.

G. Sowthi
Advocate for the Petitioner

T. Vinod Reddy
PETITIONER

C.I.P.No. / 2023

Between:

Thummuru Vinod Reddy ... Petitioner

And

01. Bhimavarapu Rajasekhar Reddy and Others ... Respondents

PETITION SCHEDULE FILED ON BEHALF OF THE PETITIONER

ITEM No: 1

Guntur District, Nallapadu Sub District, Tadikonda Revenue Mandal, Ravla Village, D.No.352/1 an extent of Ac.1.02 cents land within the following boundaries:-

East : Land belongs to 1st respondent.
South : Land belongs to Bhimavarapu Veera Reddy and Bhimavarapu Paramahamsa Rama Krishna Reddy.
West : Land belongs to Bhimavarapu Veera Reddy.
North : Land belongs to Bhimavarapu Rama Devi.

Within the above boundaries an extent of **Ac. 1.02 cents** of land only.

ITEM No: 2

Guntur District, Nallapadu Sub District, Tadikonda Revenue Mandal, Ravela Village, D.No.352/1, 352/3 an extent of Ac.0.38 cents in D.No.352/1, and an extent of Ac.0.35 cents in D.No.352/3, **Total (Ac.0.38 cents + Ac.0.35 cents = Ac.0.73 cents)** land within the following boundaries:-

East : Land belongs to 1st respondent.
South : Land belongs to Bhimavarapu Paramahamsa Rama Krishna Reddy.
West : Land belongs to 2nd respondent.
North : Land belongs to Bhimavarapu Rama Devi.

Within the above boundaries an extent of **Ac. 0.73 cents** of land only.

Advocate for the Petitioner

PETITIONER

I, do hereby declare and state that the facts stated above are true and correct to the best of my knowledge, belief and information.

PLACE: MANGALAGIRI
DATE: 25-09-2023

PETITIONER

IN THE COURT OF THE SENIOR CIVIL JUDGE: MANGALAGIRI

C.I.P.No. / 2023

Between:

Thummuru Vinod Reddy ... Petitioner

And

01. Bhimavarapu Rajasekhar Reddy and Others ... Respondents

MEMO OF REGISTERED ADDRESSES OF THE PARTIES TO THE PETITION
FURNISHED ON BEHALF OF THE PETITIONER UNDER ORDER VI, RULE 14-A
OF CIVIL PROCEDURE CODE, 1908**I. DESCRIPTION OF THE PETITIONER:-**

The Petitioner is Thummuru Vinod Reddy, S/o Late Linga Reddy, aged about 40 years, Hindu, Private Employee, R/o Sankhamuru Village, Thullur Mandal, Guntur District Presently Residing at D.No:2-104/5, Sai Nagar Colony, Back Side ICICI Bank, Chaitanyapuri, Hyderabad, Ranga Reddy District.

II. DESCRIPTION OF THE RESPONDENTS:-

The **1st respondent** is Bhimavarapu Rajasekhar Reddy, S/o Late Satyanarayan Reddy, aged about 60 years, Hindu, Cultivation, and R/o Door No: 3-71, Ravela Village, Tadikonda Mandal, Guntur District and Mangalagiri JCJC.

The **2nd respondent** is Bhimavarapu Srihari Reddy, S/o Late Veera Reddy, aged about 40 years, Hindu, Cultivation, and R/o Door No: 4-2, Ravela Village, Tadikonda Mandal, Guntur District and Mangalagiri JCJC.

The **3rd respondent** is Bhimavarapu Madhavi, W/o Rajasekhar Reddy, aged about 54 years, Hindu, House-Wife, and R/o Door No: 3-71, Ravela Village, Tadikonda Mandal, Guntur District and Mangalagiri JCJC.

The **4th respondent** is the Official Receiver, Guntur District, Guntur District Court Compound, and Guntur.

G. Sruethi
Advocate for the Petitioner

T. Vinod Reddy
PETITIONER

I, do hereby declare and state that the facts stated above are true and correct to the best of my knowledge, belief and information.

PLACE: MANGALAGIRI
DATE: 25-09-2023

T. Vinod Reddy
PETITIONER

Return: - 7-11-23

Grace @ the publication
and Administration
charges to be deposited.

Time (7) days

SC J.
MGL
7/11/23
7/11/2023

Represented on 16-11-23

Administration charges 500/-
Paid. Challana filed. Hence.
Rejected

Advocat. for Petition

A.R.M.R.
K.B.G.R.
G.S.

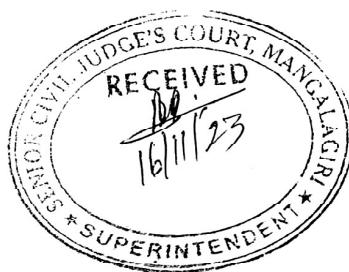
FOR PETITIONER

IN THE COURT OF THE SENIOR
CIVIL JUDGE: MANGALAGIRI

C.I.P.NO. 3 / 2023

Off. Regd.
25-9-23
Regd. 16-11-23

CREDITORS INSOLVENCY PETITION FILED
ON BEHALF OF THE PETITIONER UNDER
SECTIONS 9 AND 54 OF THE PROVINCIAL
INSOLVENCY ACT



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SR NO: 28/2024



Filed by:

Aregakuti Ram Mohan Reddy
Kasinedi Baji Gangadhara Rao

Gade Sruthi

Mangalagiri

Phone No: 9989870118

Y. NAGARAJA,
Senior Civil Judge,
Mangalagiri.
[Dis.No.143.]

IN THE COURT OF THE SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. 4 /2023

Between:

Mallela Venkata Ramana Rao. ...Petitioner.

and

01. Konda Sri Siva Nagi Reddy.
02. Damarla Venkata Narasimham. ...Respondents.**AFFIDAVIT FILED ON BEHALF OF THE PETITIONER UNDER ORDER VI
RULE 15 (4) R/W.SEC.139 OF THE CIVIL PROCEDURE CODE,1908.**

I, Mallela Venkata Ramana Rao S/o.Venkateswara Rao, aged 42 years, Hindu, Business, resident of Door.No.8-680, Midde Centre, Mangalagiri town, Guntur Dist., do hereby solemnly affirm and state on oath as follows;

01. I am the petitioner herein and well acquainted with the facts of the case. I filed the above IP against the respondents for adjudicating the 2nd respondent as insolvent and for other reliefs as prayed for and stated my case in detail in the petition and I pray that the Hon'ble court may be pleased to read the same as part and parcel of the affidavit.

02. I submit that in support of my case I filed all the necessary documents with all particulars. The particulars furnished in the plaint and in the affidavits are true and correct to the best of my knowledge, belief and information.


M. Chandru.
DEPONENT

Solemnly affirmed and stated on oath before me and signed herein before me on this the 14th day of November, 2023.

MANGALAGIRI
Dt.14.11.2023.


T. Rao
ADVOCATE.
Ap 300/2002

IN THE COURT OF THE SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. /2023

Between:

Mallela Venkata Ramana Rao. ...Petitioner.

and

01. Konda Sri Siva Nagi Reddy. ...Respondents.
02. Damarla Venkata Narasimham.AFFIDAVIT FILED ON BEHALF OF THE PETITIONER UNDER SEC. 26(2) OF THE CIVIL PROCEDURE CODE, 1908.

I, Mallela Venkata Ramana Rao S/o.Venkateswara Rao, aged 42 years, Hindu, Business, resident of Door.No.8-680, Midde Centre, Mangalagiri town, Guntur Dist., do hereby solemnly affirm and state on oath as follows;

01. I am the petitioner herein and well acquainted with the facts of the case. I filed the above IP against the respondents for adjudicating the 2nd respondent as insolvent and for other reliefs as prayed for and stated my case in detail in the petition and I pray that the Hon'ble court may be pleased to read the same as part and parcel of the affidavit.

02. I submit that in order to meet his business expenses, the 1st respondent borrowed Rs.10,00,000/- (Rupees Ten Lakhs only) from me on 01.08.2021 (First day of August, Two Thousand and Twenty One) and in evidence thereof on the same day the 1st respondent executed three (3) demand promissory notes one for Rs.5,00,000/- (Rupees Five Lakhs only), 2nd one for Rs.3,00,000/- (Rupees Three Lakhs only) and the other one for Rs.2,00,000/- (Rupees Two Lakhs only) in my favour agreeing to repay the same with interest at 24% p.a. on demand either to me or to my order and the 1st respondent is liable to repay the said debt accordingly.

03. Like wise, on 05.09.2021 (Fifth day of September, Two Thousand and Twenty One) in order to meet his business expenses, the 1st respondent borrowed Rs.7,00,000/- (Rupees Seven Lakhs only) from me and in evidence thereof on the same day the 1st respondent executed three (3) demand promissory notes one for Rs.3,00,000/- (Rupees Three Lakhs only) and the other two demand promissory notes each one for Rs.2,00,000/- (Rupees Two Lakhs only) in my favour agreeing to repay the same with interest at 24% p.a. on demand either to me or to my order and the 1st respondent is liable to repay the said debt accordingly.

04. Subsequently inspite of my demands for repayment of the debts due to him under the aforesaid promissory notes, the 1st respondent postponed the same on one pretext or the other from time to time. While things were thus, I came to know that the 1st respondent is heavily indebted to several others also and that with a view to avoid the repayment of the debts due to the genuine creditors like me planned to screen away the immovable property standing in his name and in execution of his evil designs, the 1st respondent colluded with the 2nd respondent and thereby brought into existence sham, nominal, illegal and inoperative deed of transfer for the


DEPONENT.

petition schedule property in the shape of Regd., Sale Deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri with false recitals of consideration in the name of the 2nd respondent.

~~SERINTH~~ In the said Sale deed it is so mentioned that the property was sold for a meagre amount of Rs.60,75,000/- only though the actual prevailing market value is around Rs.1,50,00,000/-. The said act of dealing with the schedule property by and between the respondents tantamount to insolvent act on the part of the 1st respondent so as to evade/avoid the payment of debts due to the creditors and thus the said sale does not bind my claims. In the sale deed executed in favour of the 2nd respondent it is so mentioned that the property is being sold by the 1st respondent to meet his family but he did not mention about the details of discharge of the debts due to the creditors. Therefore,- by all means it is crystal clear that the Regd. Sale Deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri in the name of the 2nd respondent executed by the 1st respondent in respect of the petition schedule property is collusive and fraudulent document brought into existence to defraud the creditors of the 1st respondent. On coming to know about the fraudulent act of dealing with the petition schedule property between the respondents, I could not get legal notice to the respondents demanding the repayment of the debt.

06. Thus, it is evident from the above it can be concluded that the acts committed by the 1st respondent are nothing but insolvent acts aimed at defrauding the genuine creditors. The later developments are giving scope to conclude that the 1st respondent is committing the acts of insolvent. The acts committed by the 1st respondent are insolvent acts under sec.6 (b) (c) and (d) of the Provincial Insolvency Act.

07. I am constrained to file this petition under secs.6 and 6 (a) of Provincial Insolvency Act., to adjudicate the 1st respondent as insolvent person under the provisions of Sec.6 of the Act.

08. Therefore, I pray that the Hon' Court may be pleased;

- a) to adjudicate the 1st respondent as insolvent person;
- b) to vest all the property/interests of the 1st respondent including the petition schedule property, covered by the Regd. Sale Deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri in the name of the 2nd respondent executed by the 1st respondent regarding the petition schedule property, with the Official Receiver;
- c) to direct the Official Receiver to apply under Sec.4, 53 and 54 of Provincial Insolvency Act after the 1st respondent is adjudicated as Insolvent, 1920;
- d) to direct the Official Receiver to ascertain the Creditors including the amount due to them as per the provisions of the Provincial Insolvency Act, 1920;
- e) to direct the Official Receiver to deal with/maintain the properties of the 1st respondent for the better interests of the petitioner alongwith other creditors;

M. Chandru
DEPONENT.

f) to award costs of the petition; and

g) to pass all such other and further orders that are deemed just and proper in the circumstances of the case.

Else I suffer great loss and hardship.



DEPONENT

Solemnly affirmed and stated on oath before me and signed herein before me on this the 14th day of November, 2023.

MANGALAGIRI
Dt.14.11.2023.


ADVOCATE,
AP 360 / 2002

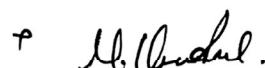
IN THE COURT OF THE SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. /2023

Between:

Mallela Venkata Ramana Rao. ...Petitioner.

and

01. Konda Sri Siva Nagi Reddy.
02. Damarla Venkata Narasimham. ...Respondents.MEMO OF REGISTERED ADDRESS FURNISHED ON BEHALF OF THE
PETITIONER UNDER ORDER VI RULS 14 (A) OF THE C.P.C., 1908.Address of Petitioner:Mallela Venkata Ramana Rao S/o.Venkateswara Rao,
Door.No.8-680, Midde Centre, Mangalagiri town,
Guntur Dist., Mangalagiri DMC.Address of Respondents:1st Respondent:- Konda Sri Siva Nagi Reddy S/o.Subba Reddy,
Door.No.3-156, Poleramma Temple Street,
3rd ward, Mangalagiri town & Mdl.,
Guntur Dist., Mangalagiri DMC.2nd Respondent:- Damarla Venkata Narasimham S/o.Sriranga Nayakulu,
Flat.No.502, Door.No.5-503/C, KLK Heights,
Opp., to Padmasaliya Kalyanamandapam,
Tenali road, Mangalagiri town & Mdl.,
Guntur Dist., Mangalagiri DMC.ADVOCATE FOR THE PETITIONER
Dt.14.11.2023.

PETITIONER

MANGALAGIRI.
Dt.14.11.2023.
PETITIONER.I do hereby declare that the facts stated above are true and correct to
the best of my knowledge, belief and information.

IN THE COURT OF THE SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. 4 /2023

Between:

Mallela Venkata Ramana Rao.Petitioner.

and

01. Konda Sri Siva Nagi Reddy.Respondents.
02. Damarla Venkata Narasimham.PETITION FILED ON BEHALF OF CREDITOR-PETITIONER UNDER
SECTIONS 9 AND 13 OF THE PROVINCIAL INSOLVENCY ACT

I. DESCRIPTION OF THE PETITIONER:-

The petitioner is Mallela Venkata Ramana Rao S/o.Venkateswara Rao, aged 42 years, Hindu, Business, resident of Door.No.8-680, Midde Centre, Mangalagiri town, Guntur Dlst., Mangalagiri DMC.

His address for service is the same as stated above and that of his counsels is Sri Lanka Sivaram Prasad and G. Ravi Kiran, Advocates, Mangalagiri town, Guntur Dist.

II. DESCRIPTION OF THE RESPONDENTS:-

The 1st respondent is Konda Sri Siva Nagi Reddy S/o.Subba Reddy, aged about 53 years, Hindu, Business, resident of Door.No.3-156, Poleramma Temple Street, 3rd ward, Mangalagiri town & Mdl., Guntur Dist., Mangalagiri DMC.

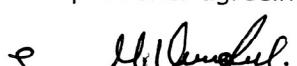
The 2nd respondent is Damarla Venkata Narasimham S/o.Sriranga, Nayakulu, aged about 47 years, Hindu, Professional, resident of Flat.No.502, Door.No.5-503/C, KLK Heights, Opp., to Padmasaliya Kalyanamandapam, Tenali road, Mangalagiri town & Mdl., Guntur Dist, Mangalagiri DMC.

Their addresses for service are the same as stated above.

III. BRIEF FACTS OF THE CASE;

01. In order to meet his business expenses, the 1st respondent borrowed Rs.10,00,000/- (Rupees Ten Lakhs only) from the petitioner on 01.08.2021 (First day of August, Two Thousand and Twenty One) and in evidence thereof on the same day the 1st respondent executed three (3) demand promissory notes one for Rs.5,00,000/- (Rupees Five Lakhs only), 2nd one for Rs.3,00,000/- (Rupees Three Lakhs only) and the 3rd one for Rs.2,00,000/- (Rupees Two Lakhs only) in favour of the petitioner agreeing to repay the


ADVOCATE FOR PETITIONER


PETITIONER

same with interest at 24% p.a. on demand either to the petitioner or to his order and the 1st respondent is liable to repay the said debt accordingly.

02. Like wise, on 05.09.2021 (Fifth day of September, Two Thousand and Twenty One) in order to meet his business expenses, the 1st respondent again borrowed Rs.7,00,000/- (Rupees Seven Lakhs only) from the petitioner and in evidence thereof on the same day the 1st respondent executed three (3) demand promissory notes one for Rs.3,00,000/- (Rupees Three Lakhs only) and the other two demand promissory notes each one for Rs.2,00,000/- (Rupees Two Lakhs only) in favour of the petitioner agreeing to repay the same with interest at 24% p.a. on demand either to the petitioner or to his order and the 1st respondent is liable to repay the said debt accordingly.

03. Subsequently inspite of demands by the petitioner for repayment of the debts due to him under the aforesaid promissory notes, the 1st respondent postponed the same on one pretext or the other from time to time. While things were thus, the petitioner came to know that the 1st respondent is heavily indebted to several others also and that with a view to avoid the repayment of the debts due to the genuine creditors like the petitioner planned to screen away the immovable property standing in his name and in execution of his evil designs, the 1st respondent colluded with the 2nd respondent and thereby brought into existence sham, nominal, illegal and inoperative deed of transfer for the petition schedule property in the shape of Regd., Sale Deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri with false recitals of consideration in the name of the 2nd respondent.

04. In the said Sale deed it is so mentioned that the property was sold for a meagre amount of Rs.60,75,000/- only though the actual prevailing market value is around Rs.1,50,00,000/-. The said act of dealing with the schedule property by and between the respondents tantamount to insolvent act on the part of the 1st respondent so as to evade/avoid the payment of debts due to the creditors and thus the said sale does not bind the claims of the petitioners. In the sale deed executed in favour of the 2nd respondent it is so mentioned that the property is being sold by the 1st respondent to meet his family but he did not mention about the details of discharge of the debts due to the creditors. Therefore, by all means it is crystal clear that the Regd. Sale Deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri in the name of the 2nd respondent executed by the 1st respondent in respect of the petition schedule property is collusive and fraudulent document brought



ADVOCATE FOR PETITIONER.



PETITITONER.

into existence to defraud the creditors of the 1st respondent. On coming to know about the fraudulent act of dealing with the petition schedule property between the respondents, the petitioner could not get legal notice to the respondents demanding the repayment of the debt.

05. Thus, it is evident from the above it can be concluded that the acts committed by the 1st respondent are nothing but insolvent acts aimed at defrauding the genuine creditors. The later developments are giving scope to conclude that the 1st respondent is committing the acts of insolvent. The acts committed by the 1st respondent are insolvent acts under sec.6 (b) (c) and (d) of the Provincial Insolvency Act.

06. The petitioner is constrained to file this petition under secs.6 and 6 (a) of Provincial Insolvency Act., to adjudicate the 1st respondent as insolvent person under the provisions of Sec.6 of the Act.

IV. CASUSE OF ACTION:-

Cause of action for the petition arose on 01.08.2021 when the 1st respondent borrowed Rs.10,00,000/- from the petitioner and executed three (3) demand promissory notes one for Rs.5,00,000/- and the 2nd one for Rs.3,00,000/- and the 3rd one for Rs.2,00,000/- in favour of the petitioner agreeing to repay the amount with yearly compounding interest at 24% p.a. on demand to the petitioner or his order and on 05.09.2021 and when the 1st respondent borrowed Rs.7,00,000/- from the petitioner and executed three (3) demand promissory notes one for Rs.3,00,000/- and two demand promissory notes each one for Rs.2,00,000/- in favour of the petitioner agreeing to repay with yearly compounding interest at 24% p.a. on demand either to the petitioner or his order and subsequently inspite of demands by the petitioner when the 1st respondent failed to repay the debts due to the petitioner and when the petitioner came to know that the 1st respondent with dishonest and malafide intention to evade the debts due to the genuine creditors like the petitioner colluded with the 2nd respondent and brought into existence sham and nominal registered Sale Deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri with false recitals of consideration etc., and thereby committed the acts of insolvency and when the petitioner could not get legal notice to the respondents demanding the repayment of the debts and at Mangalagiri town, whereat the petition schedule property is situate – all within the jurisdiction of the Hon'ble Court.

V. PARTICULARS OF VALUATION:- This being a petition filed under the


ADVOCATE FOR PETITIONER.


PETITITONER.

Provincial Insolvency act, a fixed court fee of Rs. 10/- is payable and is paid herewith under Sec. 52 of the A.C.F. & SS.V. Act, 1956.

08. Therefore, the petitioner prays that the Hon' Court may be pleased;

- a) to adjudicate the 1st respondent as insolvent person;
- b) to vest all the property/interests of the 1st respondent including the petition schedule property, covered by the Regd. Sale Deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri in the name of the 2nd respondent executed by the 1st respondent regarding the petition schedule property, with the Official Receiver;
- c) to direct the Official Receiver to apply under Sec.4, 53 and 54 of Provincial Insolvency Act after the 1st respondent is adjudicated as Insolvent, 1920;
- d) to direct the Official Receiver to ascertain the Creditors including the amount due to them as per the provisions of the Provincial Insolvency Act, 1920;
- e) to direct the Official Receiver to deal with/maintain the properties of the 1st respondent for the better interests of the petitioner alongwith other creditors;
- f) to award costs of the petition; and
- g) to pass all such other and further orders that are deemed just and proper in the circumstances of the case.

L.S. Ram Prasad
ADVOCATE FOR PETITIONER

Dt.14.11.2023.

M. Chakraborty
PETITIONER

MANGALAGIRI
Dt.14.11.2023.

M. Chakraborty
PETITIONER

LIST OF DOCUMENTS FILED ON BEHALF OF THE PLAINTIFF UNDER ORDER VII RULE 14 OF THE CIVIL PROCEDURE CODE, 1908

S.No.	Date	Language	Nature of Document & Parties to Document
01.	14.08.2023.	Telugu.	Extract copy of Regd., Sale Deed bearing Doc.No.9040/2023 of JSRO., Mangalagiri standing in the name of the 2 nd respondent executed by the 1 st respondent regarding the petition schedule property.

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✓ 02.	01.08.2021.	Telugu	Xerox copy of promissory note for Rs.5,00,000/- executed by the 1 st respondent in favour of the petitioner.
✓ 03.	01.08.2021.	Telugu	Xerox copy of promissory note for Rs.3,00,000/- executed by the 1 st respondent in favour of the petitioner.
✓ 04.	01.08.2021.	Telugu	Xerox copy of promissory note for Rs.2,00,000/- executed by the 1 st respondent in favour of the petitioner.
✓ 05.	05.09.2021.	Telugu	Xerox copy of promissory note for Rs.3,00,000/- executed by the 1 st respondent in favour of the petitioner.
✓ 06.	05.09.2021.	Telugu	Xerox copy of promissory note for Rs.2,00,000/- executed by the 1 st respondent in favour of the petitioner.
✓ 07.	05.09.2021.	Telugu	Xerox copy of promissory note for Rs.2,00,000/- executed by the 1 st respondent in favour of the petitioner.

MANGALAGIRI
Dt.14.11.2023.

L.S. Ram Rao
ADVOCATE FOR PETITIONERS.

Received 7 (Seven) documents only
My
14/11/23

IN THE COURT OF THE SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. /2023

Between:

Mallela Venkata Ramana Rao. ...Petitioner.

and

01. Konda Sri Siva Nagi Reddy.
02. Damarla Venkata Narasimham. ...Respondents.PETITION SCHEDULE FILED ON BEHALF OF THE PETITIONER

Guntur Dist., Mangalagiri Sub-Dist., Mangalagiri Mdl., Within the limits of Mangalagiri Municipality, Mangalagiri **D.Nos.234, 235 and 236/1**, 3rd ward, house site in an extent of **116 Sq.Yds or 96.98 Sq.Mts** with RCC residential building with **Door.No.3-156** consisting of ground, first, second floor and third floor pent house bounded by;

- ✓ East : Compound wall of this property abutting the property of Chatla Subrahmamyam. 19'6".
- ✓ South: Municipal Bazaar. 50'3".
- ✓ West: Municipal Bazaar. 22'.
- ✓ North: Wall of this property abutting the property of Kollipara Chandravathi. 50'3".



ADVOCATE FOR THE PETITIONER
Dt.14.11.2023.



PETITIONER

MANGALAGIRI.
Dt.14.11.2023.



PETITIONER.

L.S.R.P
Advocate for Creditor/Petitioner

Case: 2341
14.11.23
Regd 25.11.23
Pltf 28.11.23

IN THE COURT OF THE SENIOR
CIVIL JUDGE :: MANGALAGIRI

~~Mr.~~
14/11/23

I.P.No. 4 /2023



PETITION FILED ON BEHALF OF
CREDITOR-PETITIONERS U/S.9 &
13 OF THE PROVINCIAL
INSOLVENCY ACT

Computer Generated
S.R.No. 0123/2024

Filed by:-
Lanka Sivaram Prasad,
Advocate,
MANGALAGIRI - 522 503,
Guntur Dist.

Y. NAGARAJA,
Senior Civil Judge,
Mangalagiri.
[Dis.No.143.

IN THE COURT OF THE SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. /2023

Between:

01. Palakayala Suresh Babu.
 02. Tadiboyina Venkateswara Rao.
 03. Pallapothu Bala Saraswathi Naga Raju. ...Petitioners.

and

01. Konda Sri Siva Nagi Reddy.
 02. Damarla Venkata Narasimham. ...Respondents.

AFFIDAVIT FILED ON BEHALF OF THE PETITIONER UNDER ORDER VI
 RULE 15 (4) R/W.SEC.139 OF THE CIVIL PROCEDURE CODE,1908.

I, Palakayala Suresh Babu S/o.Sankara Rao, aged 38 years, Hindu, resident of Inavolu village, Thulluru Mdl., Guntur Dist., do hereby solemnly affirm and state on oath as follows;

01. I am the 1st petitioner herein and well acquainted with the facts of the case. I along with the petitioners 2 and 3 filed the above IP against the respondents for adjudicating the 2nd respondent as insolvent and for other reliefs as prayed for and stated our case in detail in the petition and I pray that the Hon'ble court may be pleased to read the same as part and parcel of the affidavit. I am giving this affidavit on my behalf as well as on behalf of the plaintiffs 2 and 3 as all of us are having common cause and case in the matter.

02. I submit that in support of my case I filed all the necessary documents with all particulars. The particulars furnished in the plaint and in the affidavits are true and correct to the best of my knowledge, belief and information.

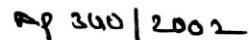

 P. Suresh Babu

DEPONENT

Solemnly affirmed and stated on oath before me and signed herein before me on this the 09th day of October, 2023.

MANGALAGIRI
 Dt.09.10.2023.


 ADVOCATE.


 AP 300 | 2002

IN THE COURT OF THE SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. /2023

Between:

01. Palakayala Suresh Babu.
 02. Tadiboyina Venkateswara Rao.
 03. Pallapothu Bala Saraswathi Naga Raju. ...Petitioners.

and

01. Konda Sri Siva Nagi Reddy.
 02. Damarla Venkata Narasimham. ...Respondents.

AFFIDAVIT FILED ON BEHALF OF THE PETITIONER UNDER SEC. 26(2)
 OF THE CIVIL PROCEDURE CODE, 1908.

I, Palakayala Suresh Babu S/o.Sankara Rao, aged 38 years, Hindu, resident of Inavolu village, Thulluru Mdl., Guntur Dist., do hereby solemnly affirm and state on oath as follows;

01. I am the 1st petitioner herein and well acquainted with the facts of the case. I along with the petitioners 2 and 3 filed the above IP against the respondents for adjudicating the 2nd respondent as insolvent and for other reliefs as prayed for and stated our case in detail in the petition and I pray that the Hon'ble court may be pleased to read the same as part and parcel of the affidavit. I am giving this affidavit on my behalf as well as on behalf of the petitioners 2 and 3 as all of us are having common cause and case in the matter.

02. I submit that in order to meet his family expenses, the 1st respondent borrowed Rs.12,50,000/- (Rupees Twelve Lakhs and Fifty Thousand only) from me on 10.10.2021 (Tenth day of October, Two Thousand and Twenty One) and in evidence thereof on the same day the 1st respondent executed two demand promissory notes one for Rs.6,00,000/- (Rupees Six Lakhs only) and the other one for Rs.6,50,000/- (Rupees Six Lakhs and Fifty Thousand only) in my favour agreeing to repay the same with interest at 24% p.a. on demand either to me or to my order and the 1st respondent is liable to repay the said debt accordingly.

03. Like wise, on 26.11.2020 (Twenty Sixth day of November, Two Thousand and Twenty) in order to meet his family expenses, the 1st respondent borrowed Rs.3,00,000/- (Rupees Three Lakhs only) and another amount of Rs.3,00,000/- (Rupees Three Lakhs only) on 02.01.2021 (Second day of January, Two Thousand Twenty One) from the 2nd petitioner and in evidence thereto the 1st respondent executed demand promissory notes on respective dates in favour of the 2nd petitioner agreeing to repay the same with interest at 24% p.a. on demand either to the 2nd petitioner or to his order and the 1st respondent is liable to repay the said debt accordingly.

04. So also in order to meet his family expenses, the 1st respondent borrowed an amount of Rs.2,00,000/- (Rupees Two Lakhs only) from the 3rd petitioner on 02.01.2021 (Second day of January, Two Thousand and Twenty One) and in evidence thereof on the same day the 1st respondent executed demand promissory note in favour of the 3rd petitioner agreeing to repay the

P. Suresh Babu
 DEPONENT

~~same with interest at 24% p.a. on demand either to the 3rd petitioner or to his order and the 1st respondent is liable to repay the said debt accordingly.~~

05. Subsequently inspite of demands by us for repayment of the debts due to them under the aforesaid promissory notes, the 1st respondent postponed the same on one pretext or the other from time to time. While things were thus, we came to know that the 1st respondent is heavily indebted to several others also and that with a view to avoid the repayment of the debts due to the genuine creditors like us planned to screen away the immovable property standing in his name and in execution of his evil designs, the 1st respondent colluded with the 2nd respondent and thereby brought into existence sham, nominal, illegal and inoperative deed of transfer for the petition schedule property in the shape of Regd., Sale Deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri with false recitals of consideration in the name of the 2nd respondent.

06. In the said Sale deed it is so mentioned that the property was sold for a meagre amount of Rs.60,75,000/- only though the actual prevailing market value is around Rs.1,50,00,000/-. The said act of dealing with the schedule property by and between the respondents tantamount to insolvent act on the part of the 1st respondent so as to evade/avoid the payment of debts due to the creditors and thus the said sale does not bind our claims. In the sale deed executed in favour of the 2nd respondent it is so mentioned that the property is being sold by the 1st respondent to meet his family but he did not mention about the details of discharge of the debts due to the creditors. Therefore, by all means it is crystal clear that the Regd. Sale Deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri in the name of the 2nd respondent executed by the 1st respondent in respect of the petition schedule property is collusive and fraudulent document brought into existence to defraud the creditors of the 1st respondent. On coming to know about the fraudulent act of dealing with the petition schedule property between the respondents, we got issued legal notices dt.13.09.2023 to the respondents calling upon to clear off their debts due and payable by the 1st respondent or else we would take steps for initiating creditor insolvency proceedings against the respondents for which the 1st respondent avoided to receive the notices and the 2nd respondent though received the notices failed to give any reply or to comply with the demands of the said notices.

07. Thus, it is evident from the above it can be concluded that the acts committed by the 1st respondent are nothing but insolvent acts aimed at defrauding the genuine creditors. The later developments are giving scope to conclude that the 1st respondent is committing the acts of insolvent. The acts committed by the 1st respondent are insolvent acts under sec.6 (b) (c) and (d) of the Provincial Insolvency Act.

08. We are constrained to file this petition under secs.6 and 6 (a) of Provincial Insolvency Act., to adjudicate the 1st respondent as insolvent person under the provisions of Sec.6 of the Act.

09. Therefore, I pray that the Hon' Court may be pleased;

P. Surendra Babu

DEPONENT

- a) to adjudicate the 1st respondent as insolvent person;
- b) to vest all the property/interests of the 1st respondent including the petition schedule property, covered by the Regd. Sale Deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri in the name of the 2nd respondent executed by the 1st respondent regarding the petition schedule property, with the Official Receiver;
- c) to direct the Official Receiver to apply under Sec.4, 53 and 54 of Provincial Insolvency Act after the 1st respondent is adjudicated as Insolvent, 1920;
- d) to direct the Official Receiver to ascertain the Creditors including the amount due to them as per the provisions of the Provincial Insolvency Act, 1920;
- e) to direct the Official Receiver to deal with/maintain the properties of the 1st respondent for the better interests of the petitioner alongwith other creditors;
- f) to award costs of the petition; and
- g) to pass all such other and further orders that are deemed just and proper in the circumstances of the case.

Else I suffer great loss and hardship.



P. Surendra Babu
DEPONENT

Solemnly affirmed and stated on oath before me and signed herein before me on this the 09th day of October, 2023.

MANGALAGIRI
Dt.09.10.2023.


T. Balaji
ADVOCATE.

AP 340 | 2002

IN THE COURT OF THE SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. /2023

Between:

01. Palakayala Suresh Babu.
 02. Tadiboyina Venkateswara Rao.
 03. Pallapothu Bala Saraswathi Naga Raju. ...Petitioners.

and

01. Konda Sri Siva Nagi Reddy.
 02. Damarla Venkata Narasimham. ...Respondents.

MEMO OF REGISTERED ADDRESS FURNISHED ON BEHALF OF THE
 PETITIONER UNDER ORDER VI RULS 14 (A) OF THE C.P.C., 1908.

Address of Petitioner:

1st Petitioner:- Palakayala Suresh Babu S/o.Sankara Rao,
 Inavolu village, Thulluru Mdl.,
 Guntur Dist., Mangalagiri DMC.

02nd Petitioner:- Tadiboyina Venkateswara Rao S/o.Appaiah;

03rd Petitioner:- Pallapothu Bala Saraswathi Naga Raju S/o.Venkatramaiah;
 Kuragallu village, Mangalagiri Mdl.,
 Guntur Dist., Mangalagiri DMC.

Address of Respondents:

1st Respondent:- Konda Sri Siva Nagi Reddy S/o.Subba Reddy,
 Door.No.3-156, Poleramma Temple Street,
 3rd ward, Mangalagiri town & Mdl.,
 Guntur Dist., Mangalagiri DMC.

2nd Respondent:- Damarla Venkata Narasimham S/o.Sriranga Nayakulu,
 Flat.No.502, Door.No.5-503/C, KLK Heights,
 Opp., to Padmasaliya Kalyanamandapam,
 Tenali road, Mangalagiri town & Mdl.,
 Guntur Dist, Mangalagiri DMC.

01. *P. Suresh Babu*02. *Tadiboyina Venkateswara Rao*03. *P.B.S. Narasimham*

ADVOCATE FOR THE PETITIONERS
 Dt.09.10.2023.

PETITIONERS

We do hereby declare that the facts stated above are true and correct
 to the best of our knowledge, belief and information.

01. *P. Suresh Babu*02. *Tadiboyina Venkateswara Rao*03. *P.B.S. Narasimham*

MANGALAGIRI.
 Dt.09.10.2023.

PETITIONERS.

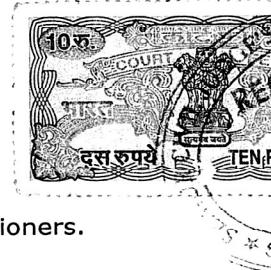
IN THE COURT OF THE SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. 5 /2023

Between:

01. Palakayala Suresh Babu.
 02. Tadiboyina Venkateswara Rao.
 03. Pallapothu Bala Saraswathi Naga Raju.

...Petitioners.



and

01. Konda Sri Siva Nagi Reddy.
 02. Damarla Venkata Narasimham.

...Respondents.

PETITION FILED ON BEHALF OF CREDITOR-PETITIONERS UNDER
 SECTIONS 9 AND 13 OF THE PROVINCIAL INSOLVENCY ACT

I. DESCRIPTION OF THE PETITIONERS:-

The 1st petitioner is Palakayala Suresh Babu S/o.Sankara Rao, aged 38 years, Hindu, resident of Inavolu village, Thulluru Mdl., Guntur Dist., Mangalagiri DMC.

The 2nd petitioner is Tadiboyina Venkateswara Rao S/o.Appaiah, aged 48 years, Hindu, resident of Kuragallu village, Mangalagiri Mdl., Guntur Dist., Mangalagiri DMC.

The 3rd petitioner is Pallapothu Bala Saraswathi Naga Raju S/o.Venkatramaiah, aged 46 years, Hindu, resident of Kuragallu village, Mangalagiri Mdl., Guntur Dist., Mangalagiri DMC.

Their addresses for service are the same as stated above and that of their counsels is Sri Lanka Sivaram Prasad and G. Ravi Kiran, Advocates, Mangalagiri town, Guntur Dist.

II. DESCRIPTION OF THE RESPONDENTS:-

The 1st respondent is Konda Sri Siva Nagi Reddy S/o.Subba Reddy, aged about 53 years, Hindu, Business, resident of Door.No.3-156, Poleramma Temple Street, 3rd ward, Mangalagiri town & Mdl., Guntur Dist., Mangalagiri DMC.

The 2nd respondent is Damarla Venkata Narasimham S/o.Sriranga Nayakulu, aged about 47 years, Hindu, Professional, resident of Flat.No.502,

01. P. Suresh Babu

02. తాదిబోయినా వెంకటేశ్వరారావు

03. P. B. S. Narasimham

ADVOCATE FOR PETITIONERS

PETITIONERS

Door.No.5-503/C, KLK Heights, Opp., to Padmasaliya Kalyanamandapam,
Tenali road, Mangalagiri town & Mdl., Guntur Dist, Mangalagiri DMC.

Their addresses for service are the same as stated above.

III. BRIEF FACTS OF THE CASE;

01. In order to meet his family expenses, the 1st respondent borrowed Rs.12,50,000/- (Rupees Twelve Lakhs and Fifty Thousand only) from the 1st petitioner on 10.10.2021 (Tenth day of October, Two Thousand and Twenty One) and in evidence thereof on the same day the 1st respondent executed two demand promissory notes one for Rs.6,00,000/- (Rupees Six Lakhs only) and the other one for Rs.6,50,000/- (Rupees Six Lakhs and Fifty Thousand only) in favour of the 1st petitioner agreeing to repay the same with interest at 24% p.a. on demand either to the 1st petitioner or to his order and the 1st respondent is liable to repay the said debt accordingly.

02. Like wise, on 26.11.2020 (Twenty Sixth day of November, Two Thousand and Twenty) in order to meet his family expenses, the 1st respondent borrowed Rs.3,00,000/- (Rupees Three Lakhs only) and another amount of Rs.3,00,000/- (Rupees Three Lakhs only) on 02.01.2021 (Second day of January, Two Thousand Twenty One) from the 2nd petitioner and in evidence thereto the 1st respondent executed demand promissory notes on respective dates in favour of the 2nd petitioner agreeing to repay the same with interest at 24% p.a. on demand either to the 2nd petitioner or to his order and the 1st respondent is liable to repay the said debt accordingly.

03. So also in order to meet his family expenses, the 1st respondent borrowed an amount of Rs.2,00,000/- (Rupees Two Lakhs only) from the 3rd petitioner on 02.01.2021 (Second day of January, Two Thousand and Twenty One) and in evidence thereof on the same day the 1st respondent executed demand promissory note in favour of the 3rd petitioner agreeing to repay the same with interest at 24% p.a. on demand either to the 3rd petitioner or to his order and the 1st respondent is liable to repay the said debt accordingly.

04. Subsequently inspite of demands by the petitioners for repayment of the debts due to them under the aforesaid promissory notes, the 1st respondent postponed the same on one pretext or the other from time to time. While things were thus, the petitioners came to know that the 1st respondent is heavily indebted to several others also and that with a view to

L.S. Ram Rao

ADVOCATE FOR PETITIONERS

01. *P. Surendra Babu*
02. *T. B. S. Rao*
03. *P. B. S. Rao*

PETITIONERS

avoid the repayment of the debts due to the genuine creditors like the petitioners planned to screen away the immovable property standing in his name and in execution of his evil designs, the 1st respondent colluded with the 2nd respondent and thereby brought into existence sham, nominal, illegal and inoperative deed of transfer for the petition schedule property in the shape of Regd., Sale Deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri with false recitals of consideration in the name of the 2nd respondent.

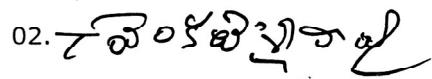
05. In the said Sale deed it is so mentioned that the property was sold for a meagre amount of Rs.60,75,000/- only though the actual prevailing market value is around Rs.1,50,00,000/-. The said act of dealing with the schedule property by and between the respondents tantamount to insolvent act on the part of the 1st respondent so as to evade/avoid the payment of debts due to the creditors and thus the said sale does not bind the claims of the petitioners. In the sale deed executed in favour of the 2nd respondent it is so mentioned that the property is being sold by the 1st respondent to meet his family but he did not mention about the details of discharge of the debts due to the creditors. Therefore, by all means it is crystal clear that the Regd. Sale Deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri in the name of the 2nd respondent executed by the 1st respondent in respect of the petition schedule property is collusive and fraudulent document brought into existence to defraud the creditors of the 1st respondent. On coming to know about the fraudulent act of dealing with the petition schedule property between the respondents, the petitioners got issued legal notices dt.13.09.2023 to the respondents calling upon to clear off their debts due and payable by the 1st respondent or else the petitioners would take steps for initiating creditor insolvency proceedings against the respondents for which the 1st respondent avoided to receive the notices and the 2nd respondent though received the notices failed to give any reply or to comply with the demands of the said notices.

06. Thus, it is evident from the above it can be concluded that the acts committed by the 1st respondent are nothing but insolvent acts aimed at defrauding the genuine creditors. The later developments are giving scope to conclude that the 1st respondent is committing the acts of insolvent. The acts committed by the 1st respondent are insolvent acts under sec.6 (b) (c) and (d) of the Provincial Insolvency Act.



ADVOCATE FOR PETITIONERS

01. P. Suresh Babu

02. 

03. P. B. S. Rao

PETITIONERS

07. The petitioners therefore are constrained to file this petition under secs.6 and 6 (a) of Provincial Insolvency Act., to adjudicate the 1st respondent as insolvent person under the provisions of Sec.6 of the Act.

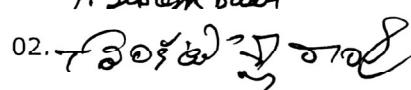
IV. CASUSE OF ACTION:-

Cause of action for the petition arose on 10.10.2021 when the 1st respondent borrowed Rs.12,50,000/- from the 1st petitioner and executed two demand promissory notes one for Rs.6,00,000/- and the 2nd one for Rs.6,50,000/- in favour of the 1st petitioner agreeing to repay the amount with yearly compounding interest at 24% p.a. on demand to the 1st petitioner or his order and on 26.11.2020 and on 02.01.2021 when the 1st respondent borrowed Rs.3,00,000/- on each occasion from the 2nd petitioner and executed demand promissory notes on respective dates for the said amounts agreeing to repay with yearly compounding interest at 24% p.a. on demand either to the 2nd petitioner or his order and on 02.01.2021 when the 1st respondent borrowed Rs.2,00,000/- from the 3rd respondent and executed promissory note agreeing to repay the amount with yearly compounding interest at 24% p.a. on demand either to the 3rd petitioner or his order and subsequently inspite of demands by the petitioner when the 1st respondent failed to repay the debts due to the petitioners and when the petitioners came to know that the 1st respondent with dishonest and malafide intention to evade the debts due to the genuine creditors like the petitioners colluded with the 2nd respondent and brought into existence sham and nominal registered sale deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri with false recitals of consideration etc., and thereby committed the acts of insolvency and on 13.09.2023 when the petitioners got issued legal notices to the respondents calling upon to clear off their debts due and payable by the 1st respondent or else they would take steps for initiating creditor insolvency proceedings against the respondents for which the 1st respondent avoided to receive the notices and the 2nd respondent though received the notices failed to give any reply or to comply with the demands of the said notices and at Mangalagiri town, whereat the petition schedule property is situate – all within the jurisdiction of the Hon'ble Court.

V. PARTICULARS OF VALUATION:- This being a petition filed under the Provincial Insolvency act, a fixed court fee of Rs. 10/- is payable and is paid herewith under Sec.2 of the A.C.F. & SS.V. Act, 1956.



ADVOCATE FOR PETITIONERS

01. P. Suresh Babu
02. 
03. P. B. S. N. D. O. D. G. S. PETITIONERS

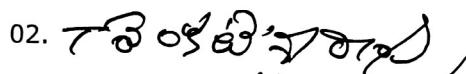
09. Therefore, the petitioner prays that the Hon' Court may be pleased;

- a) to adjudicate the 1st respondent as Insolvent person;
- b) to vest all the property/interests of the 1st respondent including the petition schedule property, covered by the Regd. Sale Deed dt.14.08.2023 bearing Doc.No.9040/2023 of JSRO., Mangalagiri in the name of the 2nd respondent executed by the 1st respondent regarding the petition schedule property, with the Official Receiver;
- c) to direct the Official Receiver to apply under Sec.4, 53 and 54 of Provincial Insolvency Act after the 1st respondent is adjudicated as Insolvent, 1920;
- d) to direct the Official Receiver to ascertain the Creditors including the amount due to them as per the provisions of the Provincial Insolvency Act, 1920;
- e) to direct the Official Receiver to deal with/maintain the properties of the 1st respondent for the better interests of the petitioner alongwith other creditors;
- f) to award costs of the petition; and
- g) to pass all such other and further orders that are deemed just and proper in the circumstances of the case.


X.S. Ram Babu

ADVOCATE FOR PETITIONERS
Dt.09.10.2023.

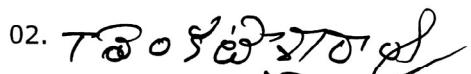
01. P. Suresh Babu

02. 
P.B.S. Nooroozbaw

PETITIONERS

MANGALAGIRI
Dt.09.10.2023.

01. P. Suresh Babu

02. 
P.B.S. Nooroozbaw

PETITIONERS

We do hereby declare that the facts stated above are true and correct to the best of our knowledge, belief and information.

LIST OF DOCUMENTS FILED ON BEHALF OF THE PLAINTIFF UNDER ORDER
VII RULE 14 OF THE CIVIL PROCEDURE CODE, 1908

S.No.	Date	Language	Nature of Document & Parties to Document
01.	14.08.2023.	Telugu.	Extract copy of Regd., Sale Deed bearing Doc.No.9040/2023 of JSRO., Mangalagiri standing in the name of the 2 nd respondent executed by the 1 st respondent regarding the petition schedule property.
02.	13.09.2023.	English.	Office copy of legal notice issued to the respondents on behalf of the 1 st petitioner.
03.	--	English	Returned unserved notice addressed to 1 st respondent.
04.	--	English	Postal acknowledgement for 2 nd respondent.
05.	13.09.2023.	English.	Office copy of legal notice issued to the respondents on behalf of the 2 nd petitioner.
06.	--	English	Returned unserved notice addressed to 1 st respondent.
07.	--	English	Postal acknowledgement for 2 nd respondent.
08.	13.09.2023.	English.	Office copy of legal notice issued to the respondents on behalf of the 3 rd petitioner.
09.	--	English	Returned unserved notice addressed to 1 st respondent.
10.	--	English	Postal acknowledgement for 2 nd respondent.

MANGALAGIRI
Dt.09.10.2023.

Telugu xerox copy of promissory notes (5 in number)
executed by (1) in favour of petitioner

A. J. Ram Reddy
ADVOCATE FOR PETITIONERS.

(Eleven (11) documents filed)
Ten (10) documents and fine (5) photo
Copies of promissory notes filed

IN THE COURT OF THE SENIOR CIVIL JUDGE :: MANGALAGIRI

I.P.No. /2023

Between:

01. Palakayala Suresh Babu.
 02. Tadiboyina Venkateswara Rao.
 03. Pallapothu Bala Saraswathi Naga Raju. ...Petitioners.

and

01. Konda Sri Siva Nagi Reddy.
 02. Damarla Venkata Narasimham. ...Respondents.

PETITION SCHEDULE FILED ON BEHALF OF THE PETITIONERS

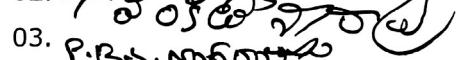
Guntur Dist., Mangalagiri Sub-Dist., Mangalagiri Mdl., Within the limits of Mangalagiri Municipality, Mangalagiri **D.Nos.234, 235 and 236/1**, 3rd ward, house site in an extent of **116 Sq.Yds or 96.98 Sq.Mts** with RCC residential building with **Door.No.3-156** consisting of ground, first, second floor and third floor pent house bounded by;

East : Compound wall of this property abutting the property of Chatla Subrahmamyam.	19'6".
South: Municipal Bazaar.	50'3".
West: Municipal Bazaar.	22'.
North: Wall of this property abutting the property of Kollipara Chandravathi.	50'3".

01. P. Suresh Babu

02.

03.



PETITIONERS

ADVOCATE FOR THE PETITIONERS

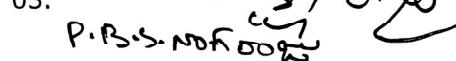
Dt.09.10.2023.

We do hereby declare that the facts stated above are true and correct to the best of our knowledge, belief and information.

01. P. Suresh Babu

02.

03.



PETITIONERS.

MANGALAGIRI.

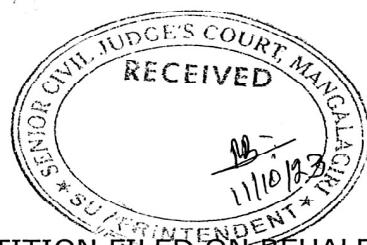
Dt.09.10.2023.

L.S.R.P
Advocate for Creditor/Petitioner

Case 2803
11/10/23
Reg. 25/11/23
Reg. 22/1/24

IN THE COURT OF THE SENIOR
CIVIL JUDGE :: MANGALAGIRI

I.P.No. 5/2023



PETITION FILED ON BEHALF OF
CREDITOR-PETITIONERS U/S.9 &
13 OF THE PROVINCIAL
INSOLVENCY ACT

Complete Generated
SPNo: 30/2024

Ch
11/10/2023

Filed by:-
Lanka Sivaram Prasad,
Advocate,
MANGALAGIRI - 522 503,
Guntur Dist.

Y. NAGARAJA,
Senior Civil Judge,
Mangalagiri.
[Dis.No.144.]

IN THE COURT OF THE SENIOR CIVIL JUDGE: MANGALAGIRI
 CREDITORS I. P. NO. 6 /2023

BETWEEN:
 Kurre Geeta Lakshmi ... PETITIONER
 AND
 1) Kurre RaviKishor Reddy
 2) D. Sreedevi @ Dachepalli Sridevi
 3) Veerabhadra Nagarjuna Reddy ... RESPONDENTS

NEAT COPY OF PETITION FILED ON BEHALF OF THE PETITIONER/ CREDITOR
UNDER SECTION 6(b), 7,9(1) & 13 (2) OF THE PROVINCIAL INSOLVANCY ACT.

I) DESCRIPTION OF THE PETITIONER:-

The petitioner is one Kurre Geeta Lakshmi W/o Late Kurre Siva Nagireddy, 48 years, Hindu, Business and properties, Resident of Door No. 1-53, Main Road, Ramachandra Puram, Mangalagiri mandal, Guntur district, Mangalagiri DMC. Cell No. 7893873678.

Her Address for service of summons and notices etc. is same as above and through her council G.Rama Krishna, Advocate, Mangalagiri , Guntur District, Pin- 522 503. Cell No. 98485 04078

II) DESCRIPTION OF THE RESPONDENTS:-

The 1st Respondent is one Kurre RaviKishor Reddy S/o Kurre Rama Krishna Reddy, 41 years, Hindu, Business and Cultivation, resident of Door No.2-41, Ramachandrapuram village, Mangalagiri mandal, Guntur district, Mangalagiri DMC. Cell No. 8556993999.

The 2nd Respondent is one D. Sreedevi @ Dachepalli Sridevi W/o D. Laxman Babu, 52 years, House wife, R/o H No. 703, B-Block, ASPEN Woods, Near Nandi Deepa Apartments, Doda Kammanahalli, Bangalore South, Bangalore -560076, Karnataka State. Cell No. 9243409681.

The 3rd respondent is one Veerabhadra Nagarjuna Reddy S/o Venugopala Rao, 37 years, Hindu, Door No. 1-80, Ramachandrapuram village, Mangalagiri mandal, Guntur district, Mangalagiri DMC.

Their Address for service of summons and notice etc. are same as above.

III) BRIEF FACTS OF THE CASE:-

A) The respondents 2 and 3 are friends, supporters, well wishers and henchmen of the 1st respondent. The Petitioner is the creditor of the 1st Respondent. The 1st respondent is permanent resident of Ramachandrapuram Village. He is doing real estate business in the states of AP and Telangana. His ordinary place of residence is Ramachandrapuram village. The petitioner and 1st respondent are also close relatives.

Advocate for petitioner

K. Geeta Lakshmi
 Petitioner

B) The 1st Respondent has been doing Real Estate business, besides cultivation. Most of the business runs on commission basis, sometimes he also purchase the properties on agreements/ GPA's/ Sale deeds and sell the same for profits. For the last several years, the 1st respondent continuing his business. In due course the 1st respondent borrowed amounts from the petitioner by executing Promissory notes at Ramachandrapuram village, Mangalagiri mandal, Guntur district as mentioned below.

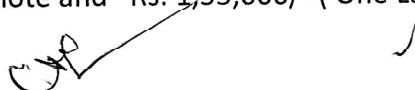
C) The 1st Respondent borrowed an amount of Rs 23,53,000/- (Twenty three lacks and fifty three thousand rupees only)from the petitioner on 01-11-2020 by executing 3 promissory notes i.e. A-pronote for Rs.8,00,000/- (Eight lacks rupees only) B-Pronote for Rs.8,00,000/- (Eight lacks rupees only) C- Pronote for Rs.7,53,000/- (Seven lacks and fifty three thousand rupees only) in favour of the petitioner agreeing to repay the said amount with interest at the rate of 18 % p.a. either to the petitioner or her order on demand.

D) Thereafter on 26-01-2021 the 1st respondent also borrowed another amount of Rs. 6,24,000/- (Six lacks and twenty four thousand rupees only) from the petitioner for his family expenses and on that day he executed another D- promissory note in favour of the petitioner for the said amount agreeing to repay the same with interest at the rate of 18 %P.A. either to the petitioner or her order on demand.

E) Thereafter on 20-07-2021, the 1st respondent also borrowed another amount of Rs.6,11,000/- (Six lacks and Eleven thousand rupees only) from the petitioner for his family expenses and on that day he also executed another E- promissory note infavour of the petitioner for the said amount agreeing to repay the same with interest at the rate of 18 % P.A. either to the petitioner or her order on demand.

F) Thereafter on 01-09-2021, the 1st respondent also borrowed another amount of Rs.2,06,000/- (Two Lacks and six thousand rupees only) from the petitioner for his family expenses and on that day he also executed another 2 promissory notes i.e. Rs. 51,000/- (Fifty one thousand rupees only) of F- promissory note and Rs. 1,55,000/- (One Lack and Fifty five thousand rupees

Advocate for petitioner


K. Geeta Lakshmi

Petitioner

only) of G-Promissory note infavour of the petitioner for the said amount agreeing to repay the same with interest at the rate of 18 % P.A. either to the petitioner or her order on demand.

G) Thereafter on 08-10-2021, the 1st respondent also borrowed another amount of Rs.6,11,000/- (Six lacks and eleven thousand rupees only) from the petitioner for his family expenses and on that day he also executed another H-promissory note infavour of the petitioner for the said amount agreeing to repay the same with interest at the rate of 18 % P.A. either to the petitioner or her order on demand. Thus the 1st respondent/ debtor has to pay a total amount of Rs. 64,12,172/- includes the interest on 31-08-2023 as agreed by him mentioned in the above said A-H pronotes.

H) The petitioner submits that at the time of borrowing the amounts and there after the 1st respondent clearly represented that the petition A-Schedule property is belongs to the 1st respondent. As the 1st respondent is in Real Estate Business besides having valuable immovable properties in the hand, the petitioner lent amounts to the 1st respondent to expand his business and to meet his family expenses. Prior to borrowing the amount from the petitioner, the 1st respondent represented that that he was doing business successfully, but he was in need funds temporarily. The petitioner lent amount to the 1st respondent with a belief that she can discharge her debts at any time from the said properties .

I) The petitioner submits that for the last 6 months, the petitioner who was in need of money, started to demand the 1st respondent for discharging her payments, but the 1st respondent postponing the payment from time to time without any payment. Due to that the petitioner started to press the payments for the last 1 month. As matters stood thus, the petitioner came to know that the 1st respondent after collusion and conspiracy with the 2nd Respondent created Two Regd. sale deed NOs.3318/2023 of SRO Hayathnagar on 06-06-2023 and 7574/2023 of SRO on on 07-07-2023 of SRO, Mangalagiri for A and B-Schedule property to the respondents 2 and 3 respectively The said documents cannot enforceable and it cannot give any right to the respondents 2 and 3. It creates only to defraud and delay the creditors like petitioner. As it can be seen that he created the said documents collusively and fraudulently with a view to delay and defeat creditors including the petitioner and **there by the 1st respondent committed an act of insolvency.** The said documents are only a sham, nominal and void and the respondents 2 and 3 did not get any right under it.

Advocate for petitioner


K. Geeta Lakshmi
Petitioner

J) After knowing the same the petitioner pressing the 1st respondent for repayment of amounts, due to her, but the 1st respondent not only paid any amount and also started to give improper, evasive and adamant replies and postponing further time by saying no means. In the circumstances the petitioner came to know that the respondents 1 to 3 in collusion with each other and with dishonest and mollified intention to evade the payment to the petitioner created above false invalid fraudulent collusion void sale deeds in respect of A&B-Schedule Property.

K) After knowing the same, the petitioner approached the respondents 1 and 2 and 3rd respondent through his father and requested them to discharge the debts due to them, or cancel the said sale deeds, but they did not choose to do so and more over threatened the petitioners with dire consequences. The better mediations and counsels made by the petitioner proved futile.

L) In those circumstances, the petitioner came to conclusion that the 1st respondent committed acts of insolvency i.e. The 1st respondent who is owner of the plaint A&B-Schedule property created sale deeds infavour of the respondents 2 and 3 with a view to delay and defeat his creditors and refused the payment leads to insolvency. At present the 1st respondent practically became insolvent. Hence, the petitioner is constrained to file the present petition against the Respondents to declare that the 1st respondent as insolvent and to initiate steps for appointment of official receiver to take the possession of the petition schedule property.

M) The value of the A &B Schedule Property and other property is not much sufficient to discharge the debts of the petitioner and as such it is impossible to pay the debts of the petitioner by the 1st respondent. Hence he has to be declared as insolvent.

IV) Cause of action : The cause of action for the petition arose when the 1st respondent for his business and necessities borrowed amounts from the petitioner several times and when the respondents created two sale deeds ie. Sale deed No. 3318/2023 dt. 06-06-2023 and Sale deed NO.7574/2023 on 07-07-2023 in collusion with each other and with a dishonest and

fraudulent intention to defeat and evade the payments to the creditors including the petitioner and thereby committed an act of insolvency and where the 1st respondent carried on business and where the A-Schedule property is situate at Bagh Hayathnagar village, Hayathnagar mandal, Rangareddy District, Telengana State, and at Ramachandrapuram village, Mangalagiri mandal where the B-Schedule property is situate and 1st respondent resides, and as such the village Ramachandrapuram, Mangalagiri mandal, Guntur district which is within the jurisdiction of this Hon'ble Court.

V) This being a petition filed under Section of the Provincial Insolvency Act, 1920, a fixed Court fees of Rs. 10/- (Rupees ten) is paid herewith under

VI) Therefore the petitioner prays that Hon'ble Court may be pleased to pass an order of the petitioner and against the respondents

a) To adjudicate the 1st respondent as insolvent,

b) To cancel the Regd. sale deed No.3318/2023 dt. 06-06-2023 executed by 1st respondent in favour of the 2nd Respondent in respect of petition A-Schedule property by declaring it as collusive and fraudulent, transaction

c) To cancel the Regd. sale deed No.7574/2023 dt. 07-07-2023 executed by 1st respondent in favour of the 3rd Respondent in respect of petition B-Schedule property by declaring it as collusive and fraudulent, transaction.

d) To appoint an official receiver to take possession of the petition A-schedule property for proper administration.

e) To order A&B-Schedule Property for sale and distribute the proceeds of the sale to the petitioner.

f) To award the costs of the petition, and.

✓ 12. Geeta Lakshmi

g) To pass such other orders as are just and necessary in the Circumstances of the case if the Hon'ble Court deems fit and proper in the interest of justice.

Advocate for Petitioner.

Petitioner.

I do hereby declare that the above stated facts are true and correct to the best of my knowledge, information and belief.

Mangalagiri,

Dt. 19-09-2023.

Petitioner

LIST OF DOCUMENTS FILED ON BEHALF OF THE PETITIONER

<u>S.No.</u>	<u>Date</u>	<u>Description of the documents</u>	<u>Remarks</u>
01	01-11-2020	Photostat copy of A-promissory note executed by the 1 st respondent infavour of the petitioner	Telugu/ Photostat
02	01-11-2020	Photostat copy of B-promissory note executed by the 1 st respondent infavour of the petitioner	Telugu/ Photostat
03	01-11-2020	Photostat copy of C-promissory note executed by the 1 st respondent infavour of the petitioner	Telugu/ Photostat
04	26-01-2021	Photostat copy of D-promissory note executed by the 1 st respondent infavour of the petitioner	Telugu/ Photostat
05	20-07-2021	Photostat copy of E-promissory note executed by the 1 st respondent infavour of the petitioner	Telugu/ Photostat
06	01-09-2021	Photostat copy of F-promissory note executed by the 1 st respondent infavour of the petitioner	Telugu/ Photostat
07	01-09-2021	Photostat copy of G-promissory note executed by the 1 st respondent infavour of the petitioner	Telugu/ Photostat
08	08-10-2021	Photostat copy of H-promissory note executed by the 1 st respondent infavour of the petitioner	Telugu/ Photostat
09	06-06-2023	Mee seva of copy of Sale deed No.3318 / 2023 executed by 1 st respondent infavour of the 2 nd respondent	Mee seva Copy
10	07-07-2023	<u>Mee seva copy of Regd. sale deed</u> <u>No.7574/2023</u>	Mee seva Copy

Mangalagiri,
DT.19-09-2023

Advocate for petitioner

IN THE COURT OF THE SENIOR CIVIL JUDGE: : MANGALAGIRI

CREDITORS I. P. NO. /2023

BETWEEN:

Kurre Geeta Lakshmi

... PETITIONER

AND

1) Kurre RaviKishor Reddy

2) D. Sreedevi @ Dacheppalli Sridevi

3) Veerabhadra nagarjuna Reddy

... RESPONDENTS

PETITION A- SCHEDULE FILED ON BEHALF OF THE PETITIONER.

All that piece and parcel of the open land bearing Plot No. 62 (Western Part), admeasuring 200 sq. yards or its equivalent to 167.23 sq. meters, in S. No. 195/2 situated at Swathi Residency of Bagh Hayathnagar village, Hayathnagar Revenue Mandal, Ranga Reddy District, Under Ward No. 4, Block No.9 of GHMC, western side part in Plot No. 62, Hayathnagar Circle, Under registrsation Sub district, Hayathnagar, and bounded by:

North : Plot No. 51

South : 30 feet wide Road

East : Plot No.62 (East Part)

West : Plot No. 61



Advocate for Petitioner.



Petitioner.

I do hereby declare that the above stated facts are true and correct to the best of my knowledge, information and belief.

L.B. Nagar,

Dt. 12-09-2023




Petitioner

IN THE COURT OF THE SENIOR CIVIL JUDGE: : MANGALAGIRI

CREDITORS I. P. NO. /2023

BETWEEN:

Kurre Geeta Lakshmi ... PETITIONER
AND

1) Kurre RaviKishor Reddy
2) D. Sreedevi @ Dachepalli Sridevi
3) Veerabhadra nagarjuna Reddy ... RESPONDENTS

PETITION B- SCHEDULE FILED ON BEHALF OF THE PETITIONER.

Item No.1 :

Guntur district, Mangalagiri sub-dist, Mangalagiri mandal, Ramachandrapuram village, D.No. 184/B2, out of an extent of Ac. 1-07cents , an extent of 544.5 sq. yards of site situate nearer to the Door No. 1-7 in 1st ward of Ramachandrapuram village, is bounded by :

East : Property of Kurre Ravi Kishore Reddy
South : Property of Vaddu Goverdhana Reddy
West : Property of Kolli Rambhupal Reddy
North : Property of Vaddu Goverdhana Reddy

Item No.2 :

Guntur district, Mangalagiri sub-dist, Mangalagiri mandal, Ramachandrapuram village, D.No. 184/B2, out of an extent of Ac. 1-07cents , an extent of 96.8 sq. yards of site situate nearer to the Door No. 1-7 in 1st ward of Ramachandrapuram village, is bounded by :

East : Panchayat Road
South : Property of Vaddu Goverdhana Reddy
West : Kurre Ravi Kishore Reddy
North : Property of Donthireddy Chandrasekhara Reddy and others


Advocate for Petitioner.


Petitioner.

I do hereby declare that the above stated facts are true and correct to the best of my knowledge, information and belief.

Mangalagiri,

Dt. 19-09-2023


Petitioner

IN THE COURT OF THE SENIOR CIVIL JUDGE: : L.B.NAGAR

CREDITORS I. P. NO. /2023

BETWEEN:

Kurre Geeta Lakshmi ... PETITIONER
AND

1) Kurre RaviKishor Reddy
2) D. Sreedevi @ Dachepalli Sridevi ... RESPONDENTS
3) *Veerabhadra Nagarjuna Reddy*

**MEMO OF ADDRESSES OF PARTIES FILED ON BEHALF OF THE PETITIONER UNDER
OR. VI RULE 14 A CPC**

I) ADDRESS OF THE PETITIONER:-

The petitioner is one Kurre Geeta Lakshmi W/o Late Kurre Siva Nagireddy, Resident of Door No. 1-53, Main Road, Ramachandra Puram, Mangalagiri mandal, Guntur district, Mangalagiri DMC. Cell No. 7893873678.

Her Address for service of summons and notices etc. is same as above and through her council G.Rama Krishna, Advocate, Mangalagiri , Guntur District, Pin- 522 503. Cell No. 98485 04078

II) ADDRESS OF THE RESPONDENTS:-

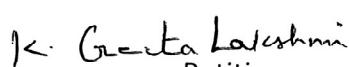
The 1st Respondent is one Kurre RaviKishor Reddy S/o Kurre Rama Krishna Reddy, resident of Door No.2-41, Ramachandrapuram village, Mangalagiri mandal, Guntur district, Mangalagiri DMC. Cell No. 8556993999.

The 2nd Respondent is one D. Sreedevi @ Dachepalli Sridevi W/o D. Laxman Babu, R/o H No. 703, B-Block, ASPEN Woods, Near Nandi Deepa Apartments, Doda Kammanahalli, Bangalore South, Bangalore -560076, Karnataka State. Cell No. 9243409681.

The 3rd respondent is one Veerabhadra Nagarjuna Reddy S/o Venugopala Rao, 37 years, Hindu, Door No. 1-80, Ramachandrapuram village, Mangalagiri mandal, Guntur district, Mangalagiri DMC.

Their Address for service of summons and notice etc. are same as above.


Advocate for Petitioner.


K. Geeta Lakshmi
Petitioner.

I do hereby declare that the above stated facts are true and correct to the best of my knowledge, information and belief.

Mangalagiri ,

Dt.19-09-2023


K. Geeta Lakshmi
Petitioner

GRK FOR PETITIONER



IN THE COURT OF THE
SENIOR CIVIL
JUDGE::MANGALAGIRI

I.P. NO. 6 /2023

NEAT COPY OF PETITION FILED
ON BEHALF OF THE
PETITIONER/ CREDITOR
UNDER SECTION 6(b), 7,9(1) &
13 (2) OF THE PROVINCIAL
INSOLVANCY ACT.

FILED BY:
G.Rama Krishna ,
ADVOCATE, MANGALAGIRI.
GUNTUR DISTRICT .
Cell No. 9848504078

Y. NAGARAJA,
Senior Civil Judge,
Mangalagiri.
[Dis.No.145.

IN THE COURT OF THE SENIOR CIVIL JUDGE,
MANGALAGIRI*Creditor I.P. NO. 7 /2024*

Between:

Varre Mahesh

...

Petitioner

And

01. Konda Sri Siva Nagi Reddy

02. Damarla Venkata Narasimha Rao ..

Respondent

**PETITION FILED ON BEHALF OF CREDITOR - PETITIONER****U/S 9 AND 13 OF THE PROVINCIAL INSOLVENCY ACT.****I) DESCRIPTION OF THE PETITIONER:-**

The Petitioner is Varre Mahesh, S/o Veeranjaneyulu, Hindu, aged about 50 years, Business, resident of Door No.6-99, Buddaiah gari Street, Mangalagiri Town&Mandal, Guntur District., Mangalagiri JCJC.

His address for service is as state above.

II) DESCRIPTION OF THE RESPONDENTS:-

The 1st Respondent is Konda Sri Siva Nagi Reddy, S/o Subba Reddy, Hindu, aged about 53 years, Business, resident of Door No. 3-156, 3rd Ward, Poleramma Temple Street, Mangalagiri Town and Mandal, Guntur District. Mangalagiri JCJC.

The 2nd Respondent is Damarla Venkata Narasimham, S/o Sri Ranganayakulu, Hindu, aged about 47 years, resident of door No.

53, 54, 55, 56

5-503/C, Flat No. 502, KLH Heights, Opposite Padmasaliya Kalyana Mandapam, Mangalagiri Town & Mandal, Guntur District, Mangalagiri JCJC.

Their addresses for service are as stated above.

III) BRIEF FACTS OF THE CASE:-

01) In order to meet family necessities the 1st Respondent is borrowed Rs. 11,50,000/- (Rupees Eleven Lakhs Fifty thousand only) from the petitioner on 01.09.2022 (1st Day of September, Two thousand twenty two) in evidence there of on the same day the 1st Respondent executed a demand promissory note for Rs. 11,50,000/- (Rupees Eleven Lakhs Fifty thousand only) in favour of the petitioner agreeing to repay the same with interest at 24% per annum on demand either to the petitioner or to his order on demand and the 1st respondent is liable to repay the said debt accordingly.

02) Subsequently in spite of demands made by the petitioner for repayment of the debt due to him under the aforesaid promissory note the 1st Respondent began to dodge the matter from time to time on one pretext or other and failed to repay the debt.

03) After that the Petitioner personally and through 3rd parties came to know that the 1st Respondent is heavily indebted to several others and that with a view to avoid the payment of the others due to the genuine creditors, the 1st respondent is contemplating and planning and screen away the his immovable properties by



executing sham and nominal deed in the name of the persons of choice, for which he is not entitle to do so.

04) The 1st Respondent purchased the petition schedule property vide sale deed dt. 07-06-2014 bearing Document No. 5137/2014 registered in the SRO, Mangalagiri. On enquiries the petitioner came to know that with dishonest intention to avoid the payment of the debts due to petitioner and to other genuine creditors, like petitioner, the 1st Respondent in association with 2nd respondent colluded with Respondent No. 2 brought in to existence sham, nominal, void, illegal and inoperative deeds of convenience on the immovable properties of 116 Sq.yds. of residential site and constructed ground floor, 1st floor, 2nd floor, 3rd floor and pent house RCC DABA house therein in D. Nos. 234, 235, 236/1 of Mangalagiri Municipality, 3rd ward and Mangalagiri Municipality issued Door No. 3-156 and Assessment No. 1023007246 in the shape of Registered sale deed dt. 14.08.2023 bearing Document No.9040/2023 of SRO, Mangalagiri for the schedule property.

05) The Petitioner Submit That the sale for the schedule property is executed for meager sums on par with the basic registration value at Rs. 70,00,000/- in the name of the Respondent No.2 by the 1st Respondent to screen away the property and to leave the place of his residence.

06) It is further submitted the alleged registered sale deed dated 14-08-2023 bearing Document No. 9040/2023 of Joint SRO,



~~MANGALAGIRI~~ Mangalagiri the schedule property executed by the 1st respondent in favour of the 2nd respondent respectively are collusive, sham, nominal and void deed of convenience brought into existence of 1st Respondent to defeat or to delay the payments due to the creditors or to defraud the creditors of the 1st Respondent. In fact the actual value of the petition schedule property covered by the Deed is in multiple to the value mentioned in the Sale Deed.

07) In the sale deed executed in favour of the 2nd respondent it is so vaguely mentioned that the property covered by the deed is being sold by the 1st respondent to meet his family financial necessities and towards discharge of debts of 2nd respondent, but the details of debts and nature of security for the debts are not mentioned so as to say the debts are discharged to the creditors and so also did not mention about the debts of any of the other debts. Therefore, by all means it is crystal clear that the registered sale deed dated 14-08-2023 bearing document No.9040 / 2023 of JSRO, Mangalagiri the schedule executed by the 1st respondent in favour of the 2nd respondent respectively are collusive and fraudulent document brought into existence to defraud the creditors of the 1st Respondent.

08) Thus it is evident from the above and can be concluded that the acts committed by the 1st respondent are nothing but insolvent Acts aimed at defraud the genuine Creditors. The later developments are giving scope to conclude that the 1st Respondent is



committing the acts of Insolvency. The Acts committed by the 1st Respondent are Insolvent Acts U/s 6 (b) (c) and (d) of the Provincial Insolvency Act.

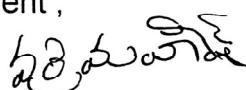
09) Therefore the petitioner is constrained to file the petition U/s 6, 6(2) of the Provincial Insolvency Act to adjudicate the 1st respondent as Insolvent Person under the provisions of Sec. 6 of the Act.

Hence, the Petition.

IV) The fixed fee of Rs. 10 /- is herewith paid Under Article 11 (c) of the ACFSSV Act, 1956.

V) Therefore the Petitioner prays that the Hon'ble Court may be pleased to

- a) to adjudicate the 1st respondent as Insolvent person;
- b) to vest the property / interest of the 1st respondent including the petition schedule property covered by the Registered sale deed dated 14-08-2023 bearing Document No. 9040/2023 of JSRO, Mangalagiri, property mentioned in the petition Schedule, executed by the 1st respondent in favour of the Respondent No.2 respectively with the official receiver;
- c) to direct the official receiver to apply U/s 4, 53 & 54 of Provincial Insolvency Act, 1920 after the 1st Respondent adjudicate as Insolvent ;



INTENDANT
 d) to direct the Official Receiver to ascertain the creditors including the amount due to them as per the Provisions of Provincial Insolvency Act, 1920

- e) to direct the official Receiver to deal with or maintain the property of the 1st Respondent for better interests of the Petitioner along with other Creditors;
- f) to award the costs of the Petition; and
- g) to pass all such and other orders that are deemed just and proper in the circumstances of the case.

D. Balu

Advocate of the Petitioner

ప్రమాదు

Petitioner

I do hereby declare that the facts stated above are true and correct to the best of my knowledge, belief and information.

Mangalagiri,
Date: 19-10-2023

ప్రమాదు

Petitioner.

**LIST OF THE DOCUMENTS FILED ON BEHALF OF THE
PETITIONER UNDER ORDER VII RULE 14 OF THE CIVIL
PROCEDURE CODE, 1908.**

S.No.	Date	Language	Nature of documents & Particulars	Remarks
1	01.09.22	Telugu	Copy of the promissory note of Rs. 11,50,000/- executed by the R.1 in favour of the Petitioner.	Xerox
2	07.06.2014	Telugu	Copy of Registered Sale deed bearing Document No. 5137 /2014 of JSRO, Mangalagiri in the name of R.1 (Petition Schedule)	
3	14.08.2023	Telugu	extract copy of Registered Sale deed bearing Document No. 9040 /2023 of JSRO, Mangalagiri executed by the R.1 in favour of the R.2(the Petition Schedule Property)	Original
4	14.09.2023	English	Statement of Encumbrance on the Petition Schedule property	Original
5	13.10.2023	English	Office copy of legal notice issued by the petitioner	Original
6	13.10.2023	English	Postal Receipts 3 Nos.	Original

7. English. Postal Acknowledgement Original
8 to R1

Mangalagiri,

Date: 19 -10-2023

①. B. R. 1
Advocate for Petitioner.

IN THE COURT OF THE SENIOR CIVIL JUDGE,
MANGALAGIRI

Creditor I.P. NO. / 2023

Between:

Varre Mahesh ... Petitioner

And

01. Konda Sri Siva Nagi Reddy
02. Damarla Venkata Narasimha Rao .. Respondents

SCHEDULE FILED ON BEHALF OF THE PETITIONER

Guntur District, Mangalagiri Sub District, Mangalagiri Mandal, Mangalagiri Municipal area ; Mangalagiri Revenue Village D. NO. 234, 235 , 236/1 an extent of 116 Sq. ft. of residential site and constructed ground floor, 1st floor, 2nd floor, 3rd floor, penthouse RCC daba house bearing door No. 3-156 & Assessment No. 1023007246 being bounded by:-

East : This property compound wall in between Chatla

Subrahmanyam Property. 19.6 ft.

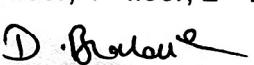
South : Municipal Bazar 50.3 ft.

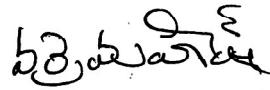
West : Municipal Bazar 22.0 ft.

North : This property wall in between Kollipara

Chandravathi 50.3 ft.

With in the above boundaries an extent of 116 Sq. yards or 96.98 sq.mts. of vacant site and constructed a RCC daba consisting with ground floor, 1st floor, 2nd floor, 3rd floor & penthouse.

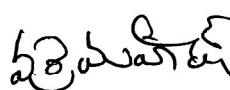

Advocate of the Petitioner


Petitioner

I do hereby declare that the facts stated above are true and correct to the best of my knowledge, belief and information.

Mangalagiri.

Date: 19 -10-2023


Petitioner

DBH FOR PETITIONER

IN THE COURT OF THE
SENIOR CIVIL JUDGE,
MANGALAGIRI

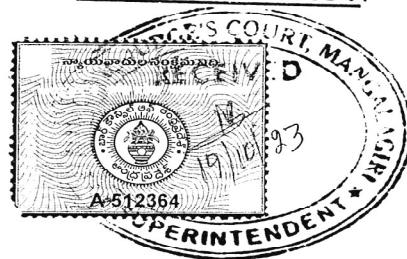
Ref. 22.11.23

Creditor
I.P. NO. 7 /2023

Comptroller Generated
SRNO: 39/2023

19/10/23

PETITION FILED ON
BEHALF OF CREDITOR -
PETITIONER U/S 9 AND 13
OF THE PROVINCIAL
INSOLVENCY ACT.



Filed by:

D. Brahmam,
Advocate,
MANGALAGIRI.

9849379667

Y. NAGARAJA,
Senior Civil Judge,
Mangalagiri.
[Dis.No.146.]